

**AGENDA  
ZONING COMMITTEE  
OF THE SAINT PAUL PLANNING COMMISSION  
Thursday, January 28, 2010 3:30 P.M.  
City Council Chambers  
Third Floor City Hall - Saint Paul, Minnesota**

**NOTE:** The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

**APPROVAL OF JANUARY 14, 2010, ZONING COMMITTEE MINUTES**

**SITE PLAN REVIEW** – List of current applications (Tom Beach, 651-266-9086)

**OLD BUSINESS**

- 1      09-424-870    Greg Brendemuehl**  
Re-establishment of nonconforming use as a 4-plex  
267 Front Ave, between Matilda & Galtier  
B2  
Sarah Zorn    651-266-6570
  
- 2      09-423-979    Walgreens (Ford Parkway)**  
Site plan review for a new Walgreen's Drug Store and second commercial building  
2101 Ford Parkway  
B2  
Tom Beach    651-266-9086

**NEW BUSINESS**

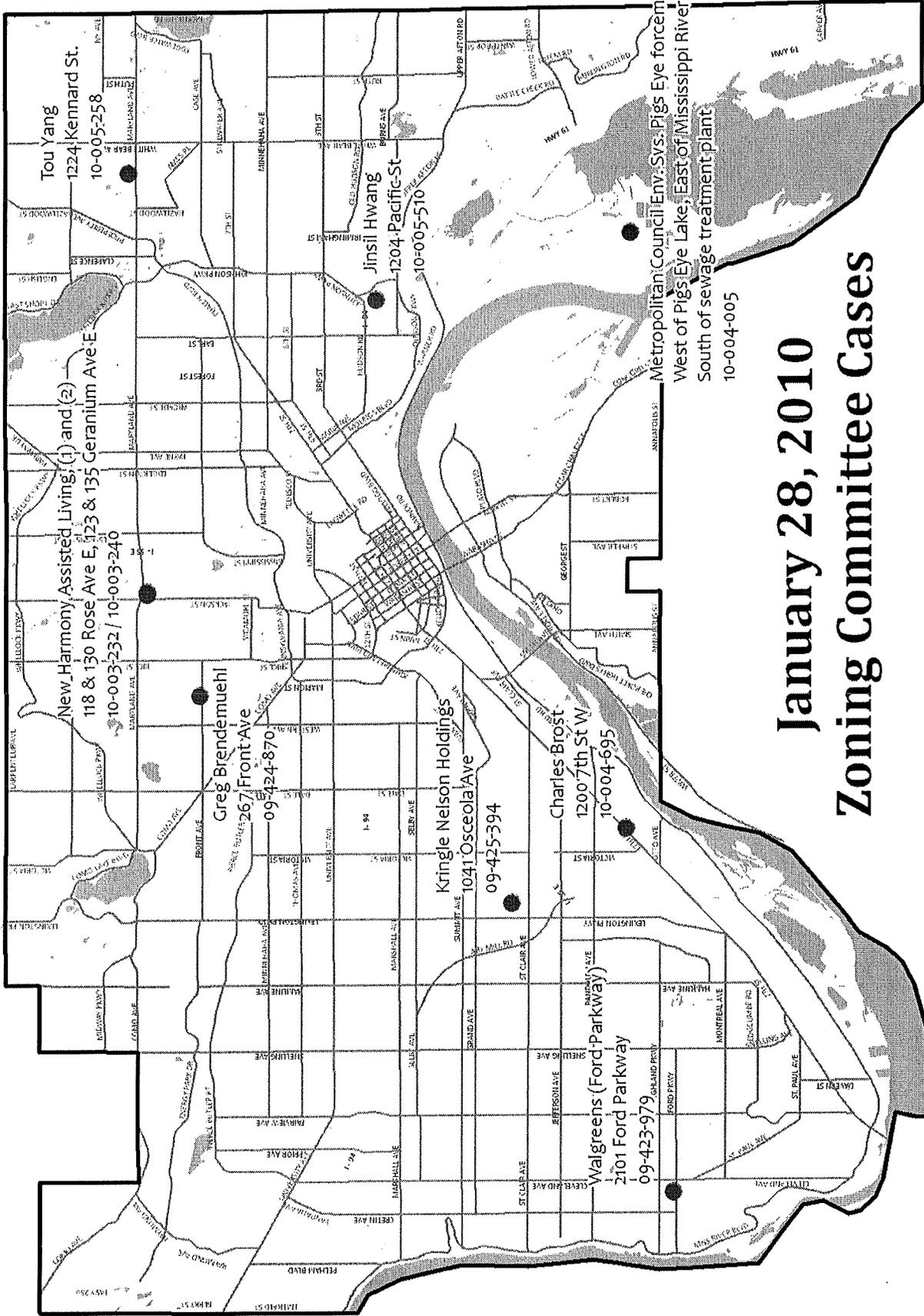
- 3      10-005-258    Tou Yang**  
Re-establishment of nonconforming use as a duplex  
1224 Kennard St, between Orange and Maryland  
R3  
Sarah Zorn    651-266-6570
  
- 4      10-005-510    Jinsil Hwang**  
Re-establishment of nonconforming use as a duplex  
1204 Pacific St, SW corner at Griffith  
R4  
Sarah Zorn    651-266-6570
  
- 5      09-425-394    Kringle Nelson Holdings**  
Change of nonconforming use from mixed residential/commercial  
(1 commercial unit and 4 residential units) to 5 residential units  
1041 Osceola Ave, NW corner at Oxford  
R4  
Sarah Zorn    651-266-6570
  
- 6      10-004-695    Charles Brost**  
Change of nonconforming use to add outdoor auto sales to existing nonconforming auto  
repair business  
1200 7th St W, NE corner at Tuscarora  
B2  
Emily Goodman      651-266-6551

- 7      10-003-232   New Harmony Assisted Living**  
Rezoning from R4 One-Family Residential to RM2 Multiple Family Residential  
118 & 130 Rose Ave E, 123 & 135 Geranium Ave E  
R4  
Penelope Simison      651-266-6554
  
- 8      10-003-240   New Harmony Assisted Living (2)**  
Conditional use permit for assisted living facility, with variances of number of units permitted  
and parking lot/driveway location  
118 & 130 Rose Ave E, 123 & 135 Geranium Ave E  
R4  
Penelope Simison      651-266-6554
  
- 9      10-004-005   Metropolitan Council Env. Svs. Pigs Eye forcemain (2)**  
Conditional use permit for forcemain (sewer) construction in the river corridor, with  
variances of a number of river corridor standards  
Property lying west of Pigs Eye Lake, east of Mississippi River, south of St. Paul sewage  
treatment plant  
I2  
Josh Williams              651-266-6659

**ADJOURNMENT**

**ZONING COMMITTEE MEMBERS:** Call Allan Torstenson at 266-6579 or Samantha Langer at 266-6550 if you are unable to attend the meeting.

**APPLICANT:** You or your designated representative must attend this meeting to answer any questions that the committee may have.



Tou Yang  
1224 Kennard St.  
10-005-258

New Harmony Assisted Living (1) and (2)  
118 & 130 Rose Ave E, 123 & 135 Geranium Ave E  
10-003-232 / 10-003-240

Greg Brendemuehl  
267 Front Ave  
09-424-870

Kringle Nelson Holdings  
1041 Osceola Ave  
09-425-394

Charles Brost  
1200 7th St W  
10-004-695

Walgreens (Ford Parkway)  
2101 Ford Parkway  
09-423-979

Jinsil Hwang  
1204 Pacific St  
10-005-510

Metropolitan Council Env. Svs. Pigs Eye formain (2)  
West of Pigs Eye Lake, East of Mississippi River,  
South of sewage treatment plant  
10-004-005

# January 28, 2010 Zoning Committee Cases



CITY OF SAINT PAUL  
*Christopher B. Coleman, Mayor*

*25 West Fourth Street  
Saint Paul, MN 55102*

*Telephone: 651-266-6700  
Facsimile: 651-228-3220*

January 20, 2010

RE: Zoning File #09-424-870

Re-establishment of legal nonconforming use as a 4-plex  
267 Front Avenue

Members of the Zoning Committee:

On December 29, 2009, the Zoning Committee voted 4-1 to deny the application to re-establish the nonconforming 4-plex use at 267 Front Avenue, but to approve the re-establishment of two units. At the January 8, 2010 Planning Commission meeting, it was suggested that the case be returned to the Zoning Committee for further consolidation. The Planning Commission unanimously approved this action.

The staff report and packet are the same materials presented at the December 29<sup>th</sup> meeting; however, the following items have been added to this packet as they were received/completed either at or following the Planning Commission meeting:

Request for Continuance

Letter and documents submitted by the applicant to members of the Planning Commission

Zoning Committee minutes from December 29, 2009

Sarah Zorn  
Planning Staff

## Request for Continuance

Date 2 Jun 2010

Gladys Morton, Chair  
Zoning Committee  
City of Saint Paul  
1400 City Hall Annex  
Saint Paul, Minnesota 55102

Re: Zoning File # 09-424-870

Dear Ms. Morton:

I am the applicant or the applicant's duly appointed representative for this zoning file.

I request a continuance of the public hearing on the application in this zoning file, which is presently scheduled before the Zoning Committee on Dec 29, 2010.

I understand that a continuance of the public hearing before the Zoning Committee means that the decision of the Planning Commission on this application, which is presently scheduled for Jan 8, 2010, will also be continued.

I request that the Zoning Committee continue the public hearing for this zoning file to Jan 28, 2010, I understand that the Planning Commission would then be scheduled to make their decision on Feb 15, 2010.

I am aware of and understand the statutory requirements found in Minn. Statue § 15.99 (1995) requiring the City of Saint Paul to approve or deny this application within sixty days of its submission. I desire to extend the sixty day period for a City decision under Minn. Stat. §15.99 by 19 days to Feb 19, 2010, to accommodate the continuance I am requesting.

Sincerely,

Greg Brendemuehl  
Signature of Applicant or  
Applicant's duly appointed  
representative.

GREG BRENDEMUEHL  
Printed name of Applicant or  
Applicant's duly appointed  
representative.

#09-42A-870  
267 front / Re-est NCUF

Committee of Seven made decision  
to disapprove Non conforming permit of 267 based  
on insufficient reasoning.

Reconsider based on events at hearing and supporting  
information provided.

Four plex non-conforming permit should be  
approved.

Opening fact: Certificate of Occupancy was  
approved for four until building in 2004.

C of O was renewed and approved in 2007.

# Committee Chair Re-Consideration

## Staff Report Reasons for not approving Non-Conforming

- 1 House is not appropriate for use as four-Plex.

No Reason. Pictures show it is appropriate for use as Four Plex.

- 2 Proposed use will be detrimental to immediate neighborhood and to public safety.

Deconversion will cause more safety issues with construction.

Pictures show neighborhood parking on street is not congested and in consistency with surrounding properties.

ALL NEIGHBORS SIGNED PETITION AND ARE IN SUPPORT OF MYSELF/BUYER

Parking is not considered under Public safety and welfare.

## **District 6 Planning council Reason for not approving Non- Conforming Permit Suggestion made over holiday, through email, and without notifying applicant**

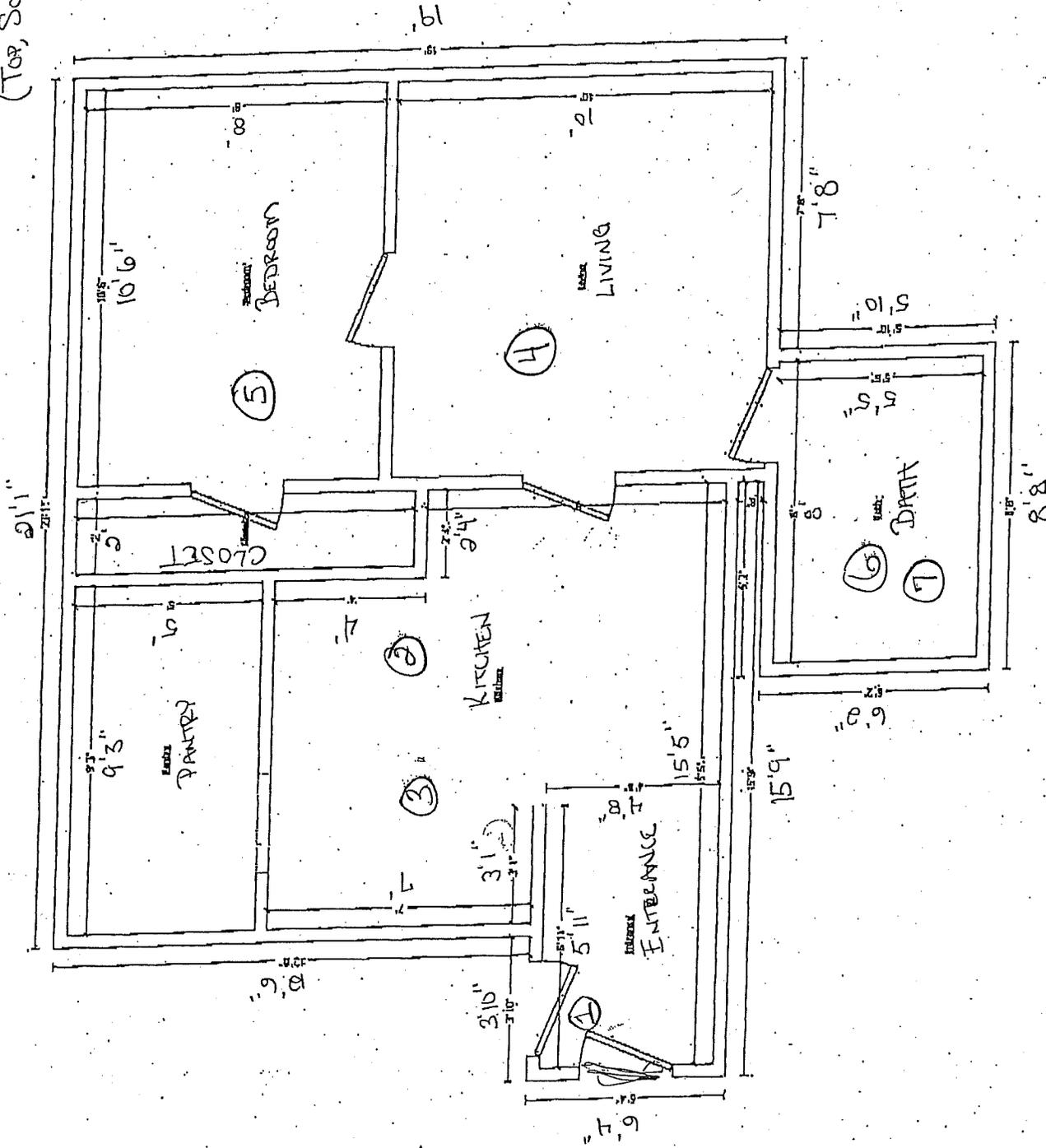
- Present and past use indicated as single family use. FALSE  
Pictures indicate use and stated approved on 2004 and 2007 four-plex use
- Small yard.  
Large enough for recreation along with park in walking distance
- Removing garage, but with concerns of land pollution.  
Due to past applicant painting cars
- Council Plan to increase home ownership  
Were made aware I am homesteading property  
Apartments have been accounted for by district in recent years
- Enough current units Community.  
There are Four CURRENT units.
- House falls into removal due to not going in house and seeing 73 deficiencies on inspection.  
Deficiencies have been financially considered and accounted for by buyer

### Conclusion

Restoring house to working order in current condition is good for community.

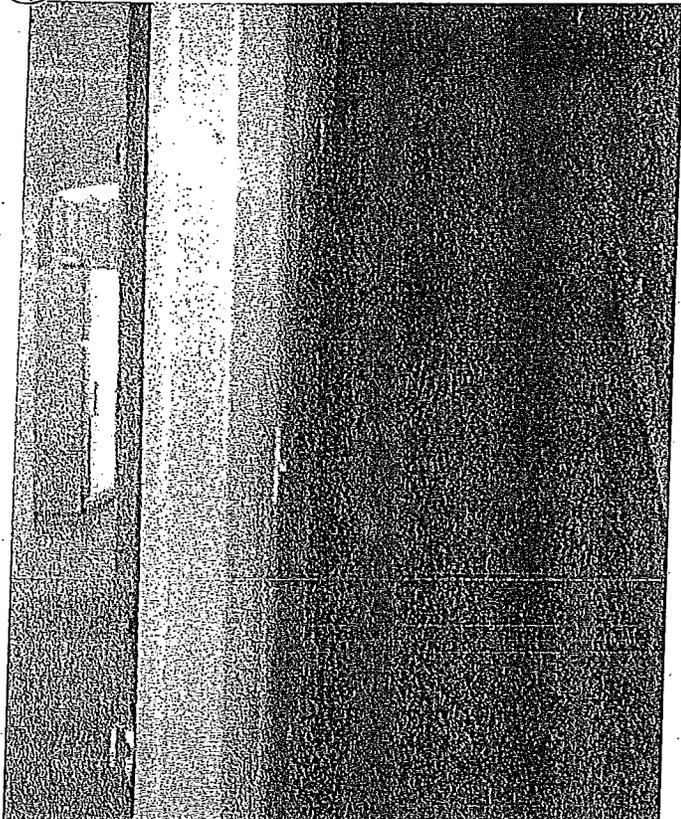
Financial impact of 100k plus to change to duplex.

# ONE BEDROOM (TOP, SOUTH)



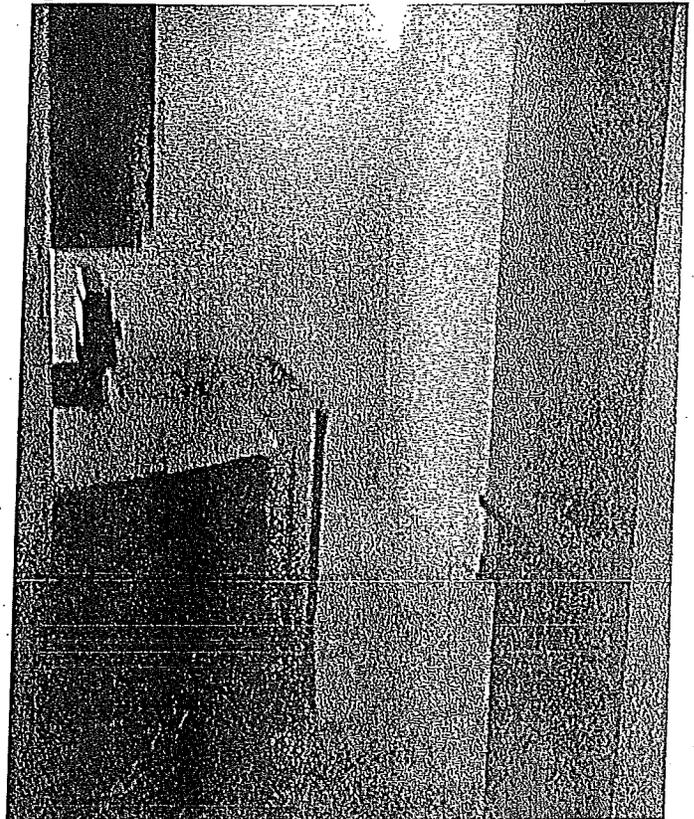
START

1



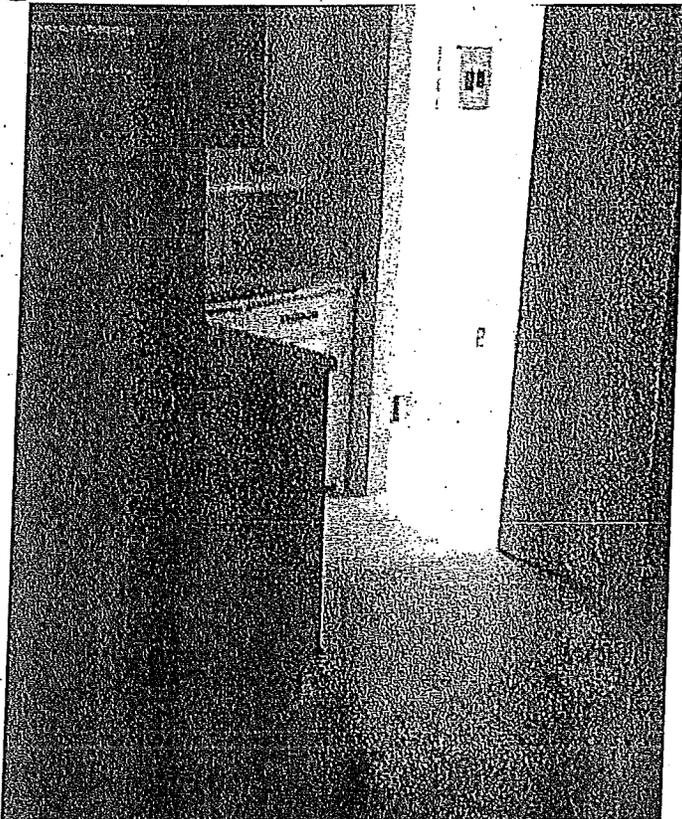
FRONT ENTRY (UP TO 1-BED)

2



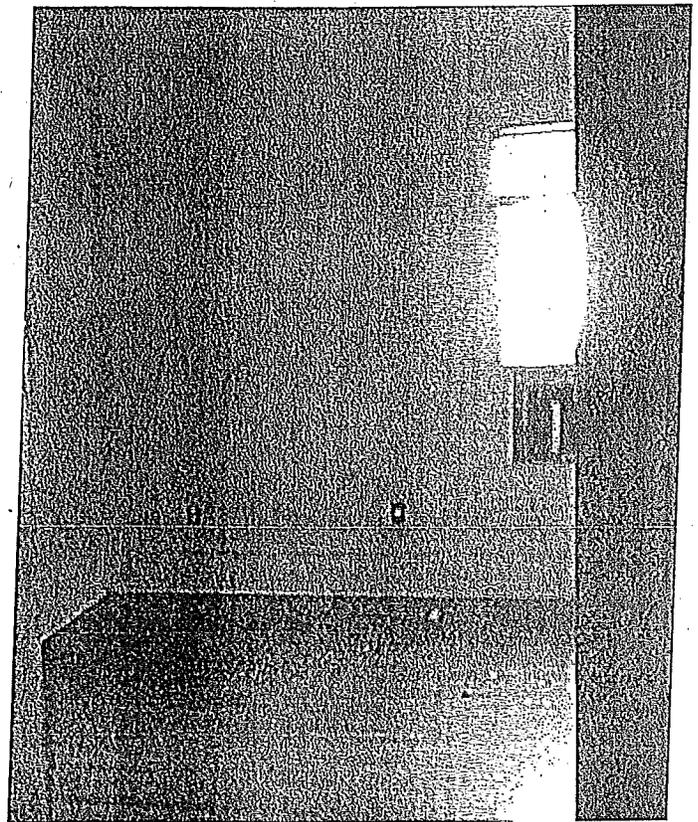
1-BED KITCHEN

3



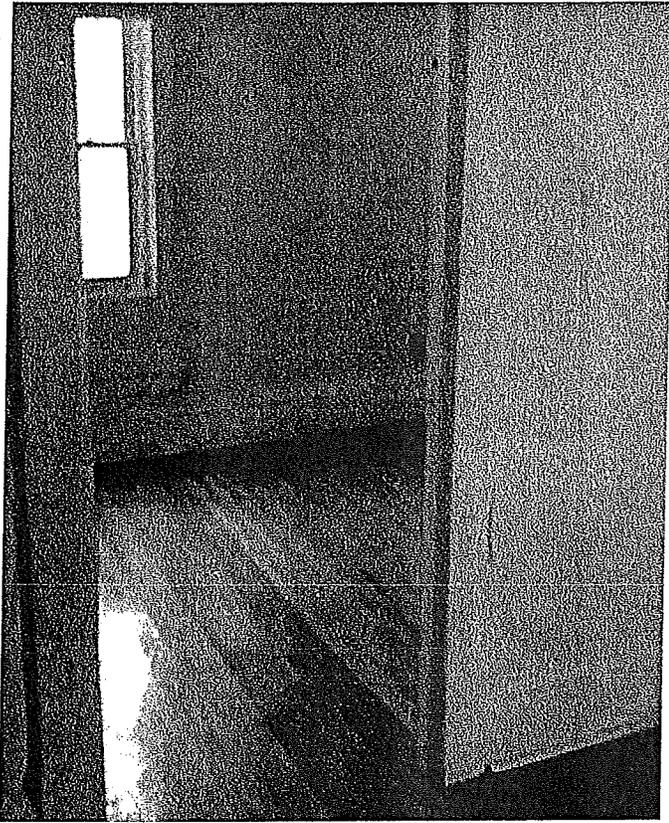
1-BED KITCHEN

4



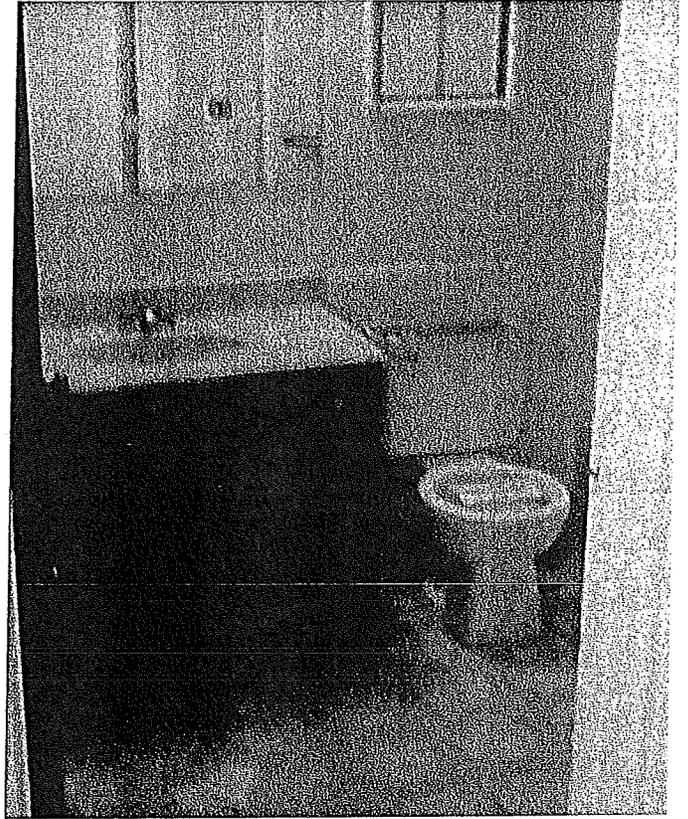
1-BED LIVING ROOM

5



1-BED BEDROOM

6



1-BED BATHROOM

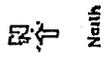
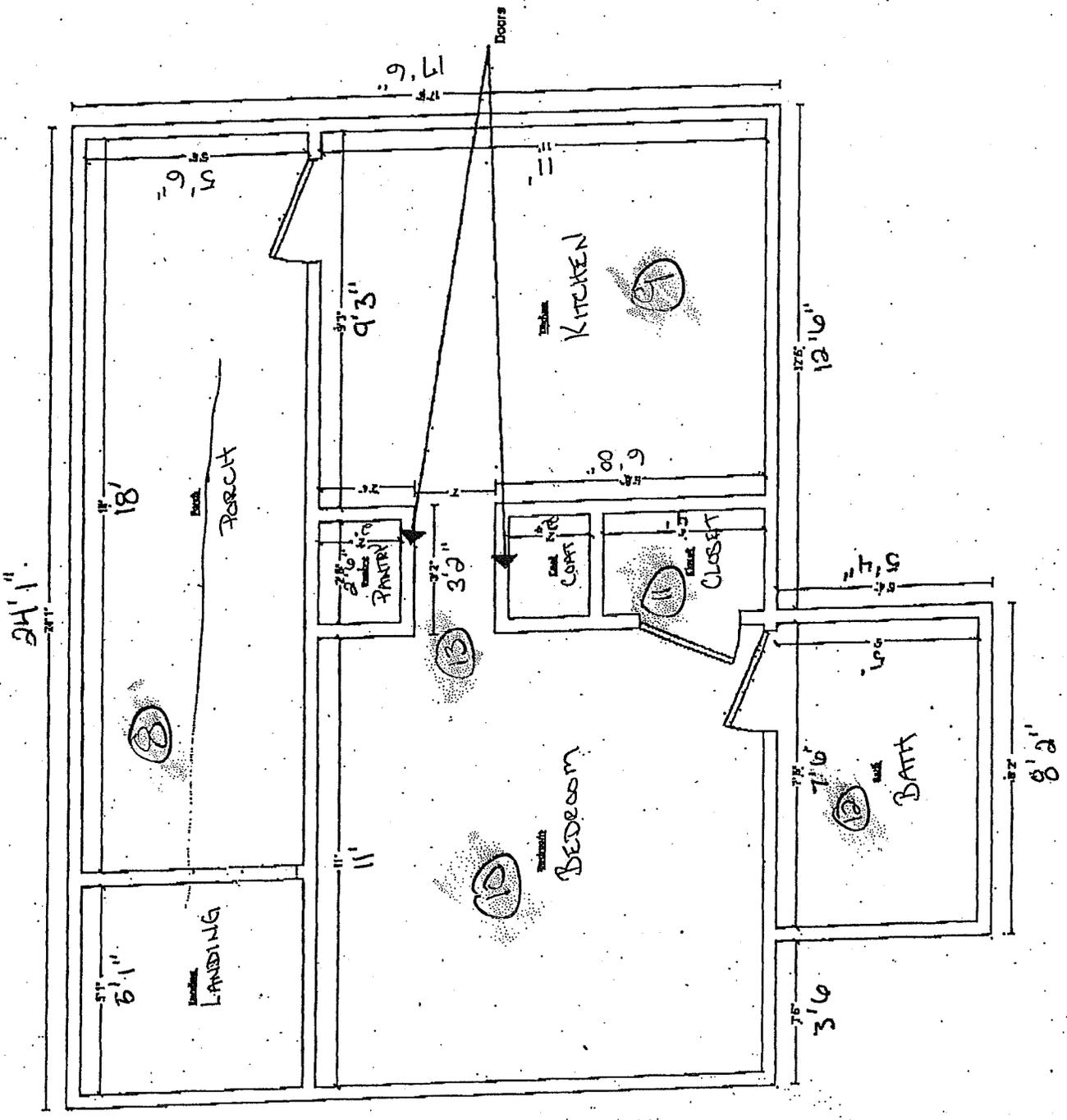
7



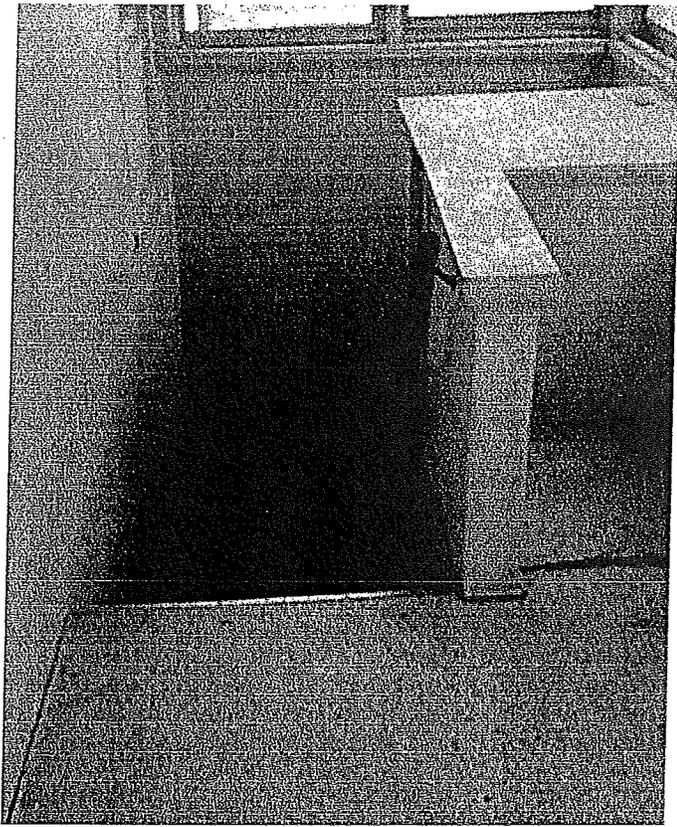
1-BED BATHROOM

STUDIO (TOP, NORTH)

North

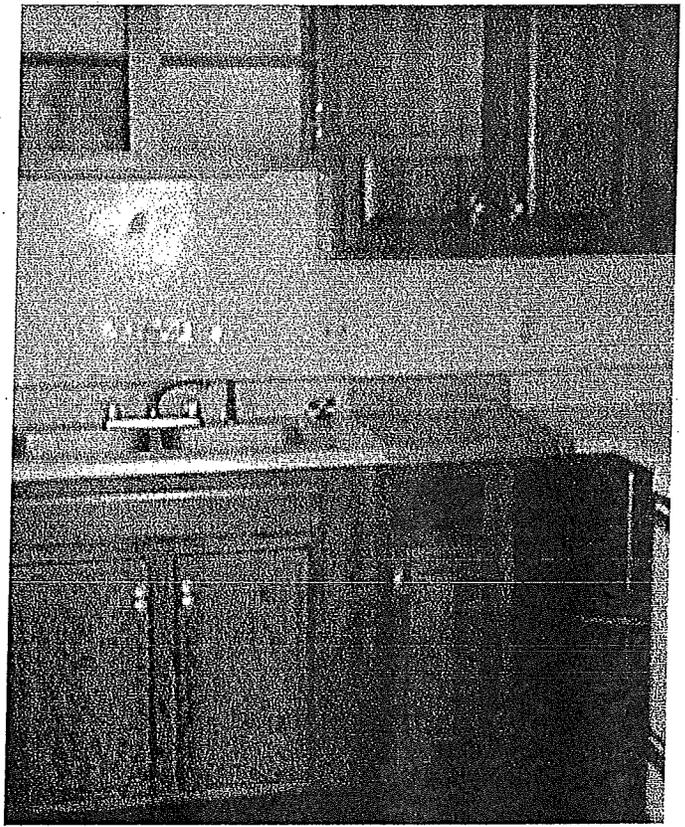


8



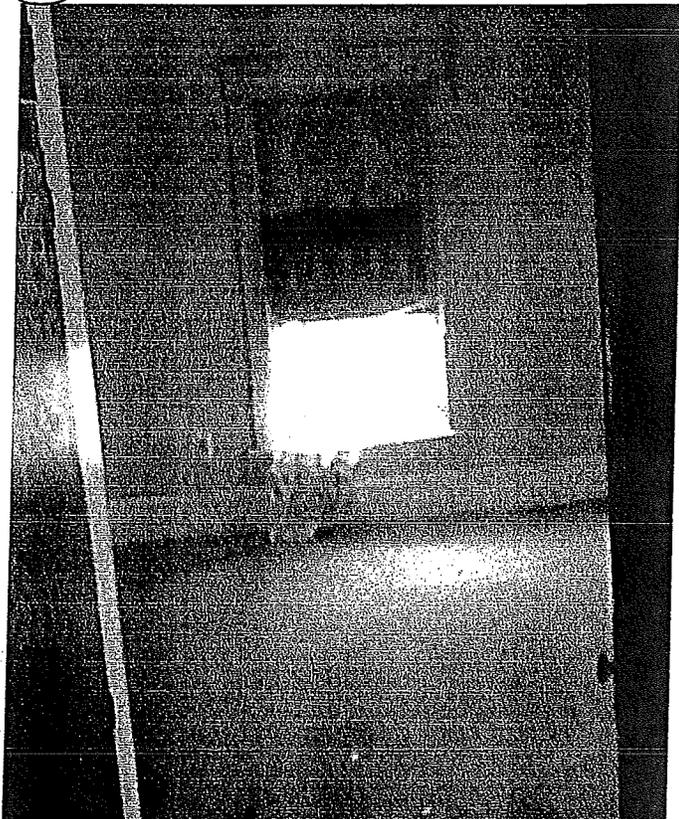
BACK STAIR UP TO STUDIO

9



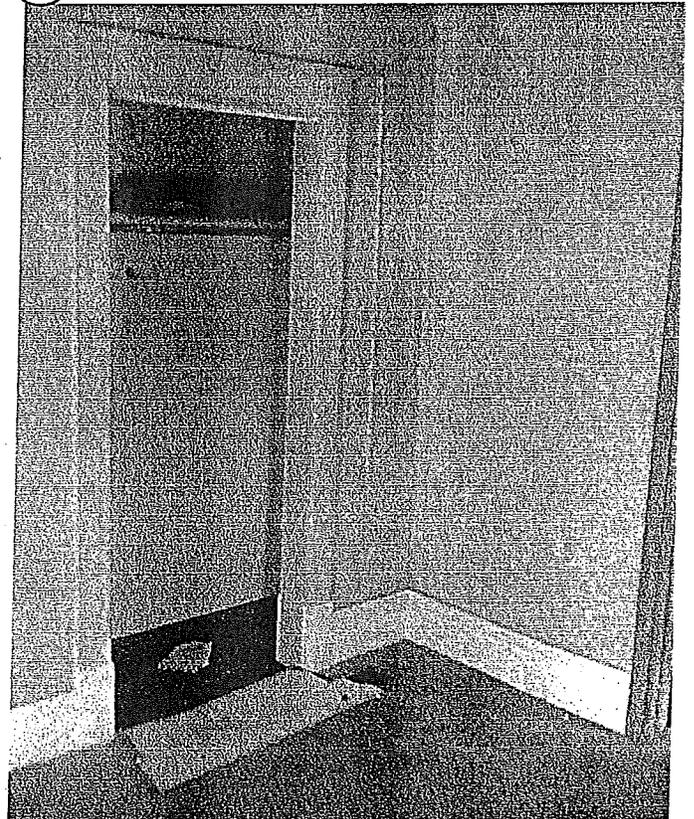
STUDIO KITCHEN

10



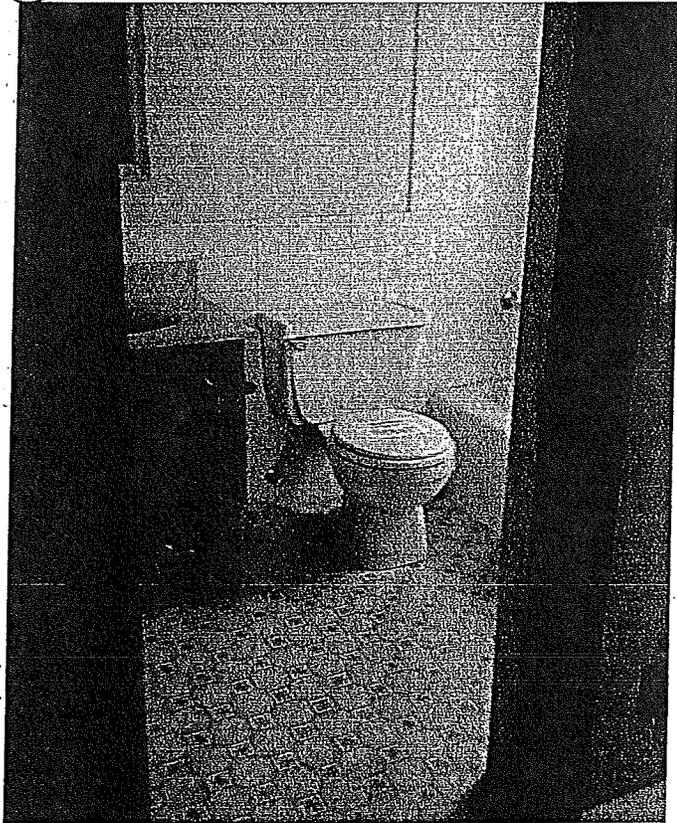
STUDIO LIVING/BED

11



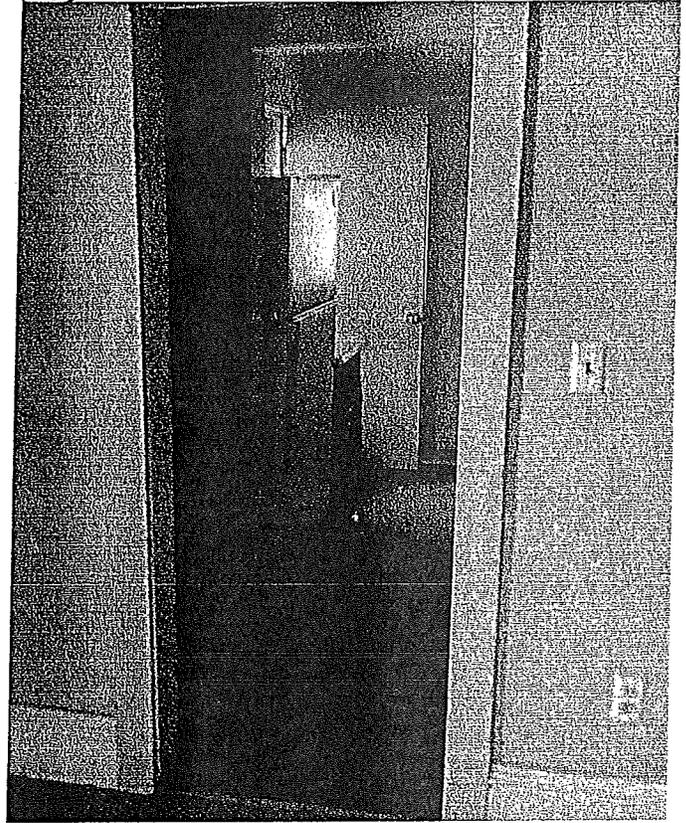
CLOSET

12



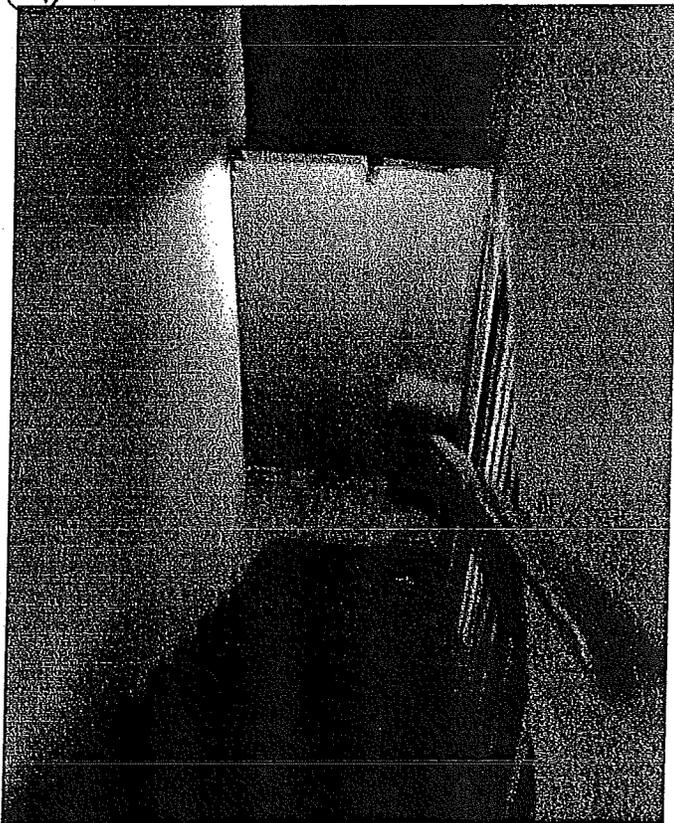
STUDIO BATHROOM

13



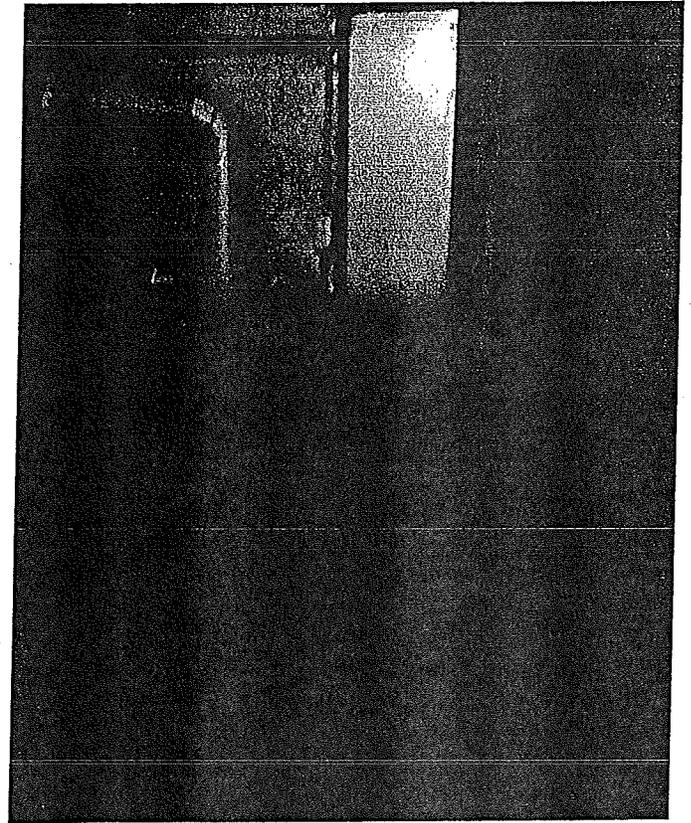
STUDIO KITCHEN

14



BACK STAIR TO BASEMENT/  
UTILITY

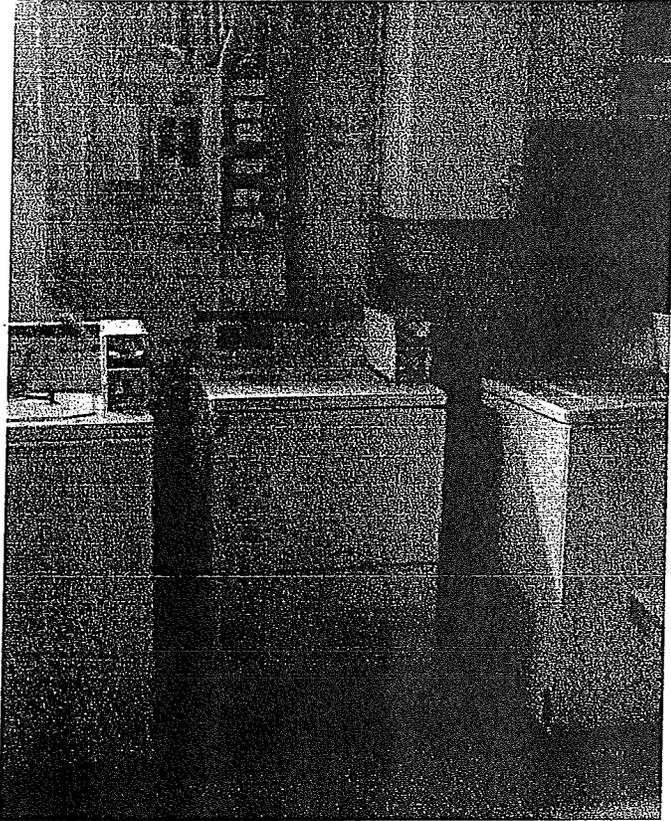
15



DOWNSTAIRS TURN  
LEFT FURNACE

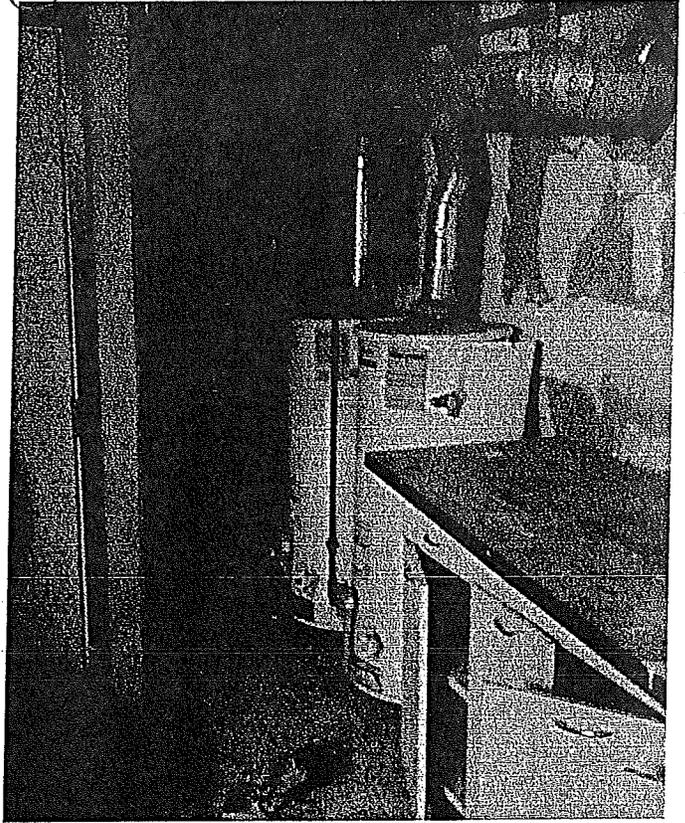


16



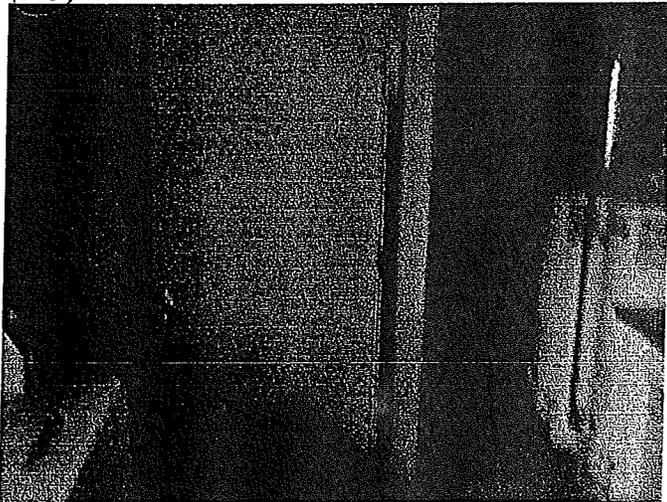
BASEMENT UTILITY LAUNDRY

17



BASEMENT HOT WATER HEATERS.

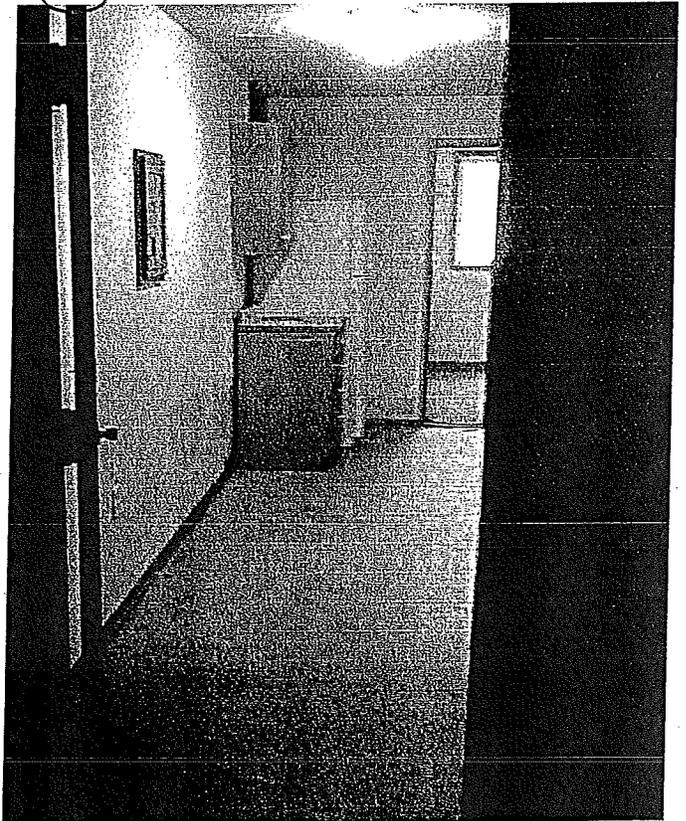
18



DOOR TO OUTSIDE STAIR  
(TURN LEFT)

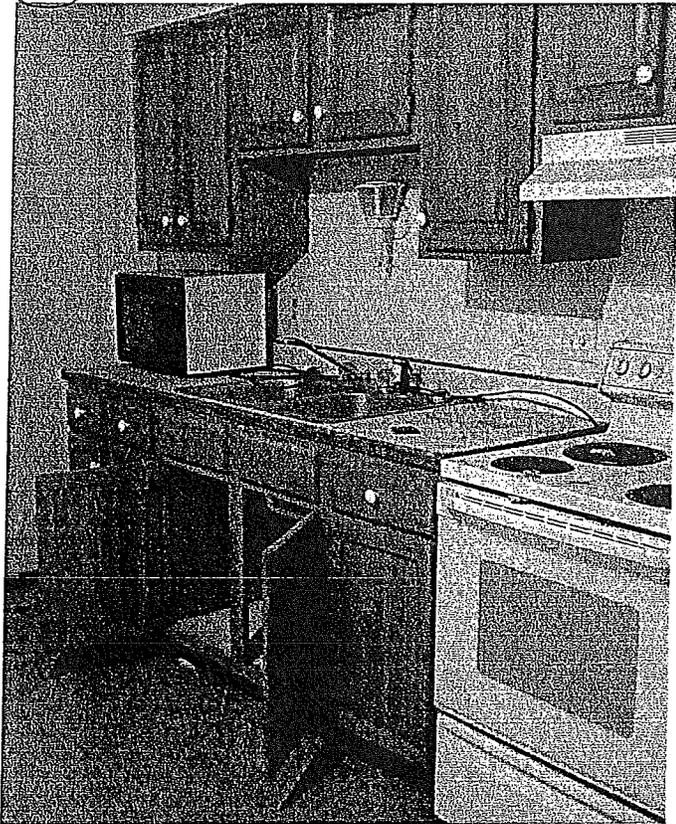
DOOR TO 2-BED  
(STRAIGHT)

19



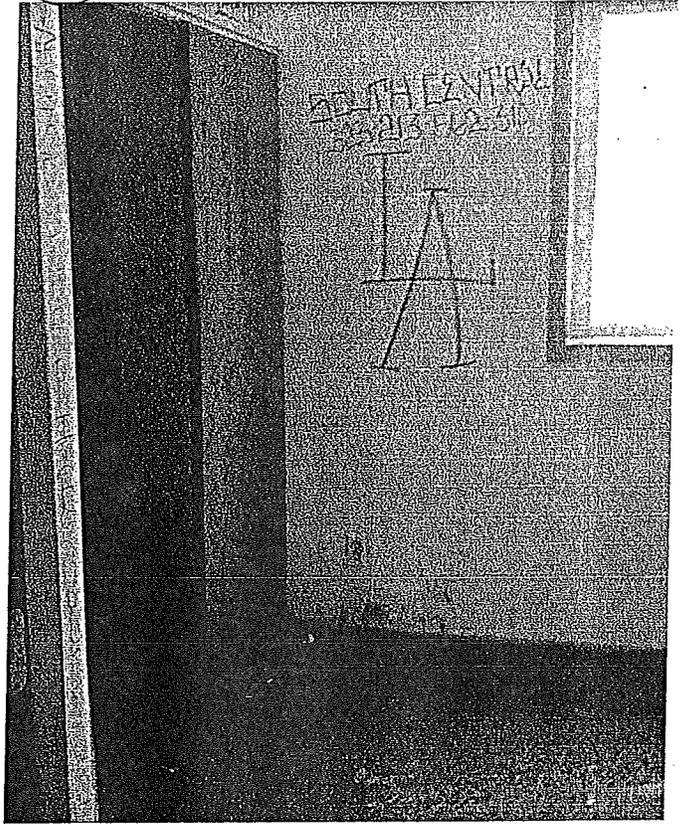
KITCHEN TWO BED  
FROM ENTRY

20



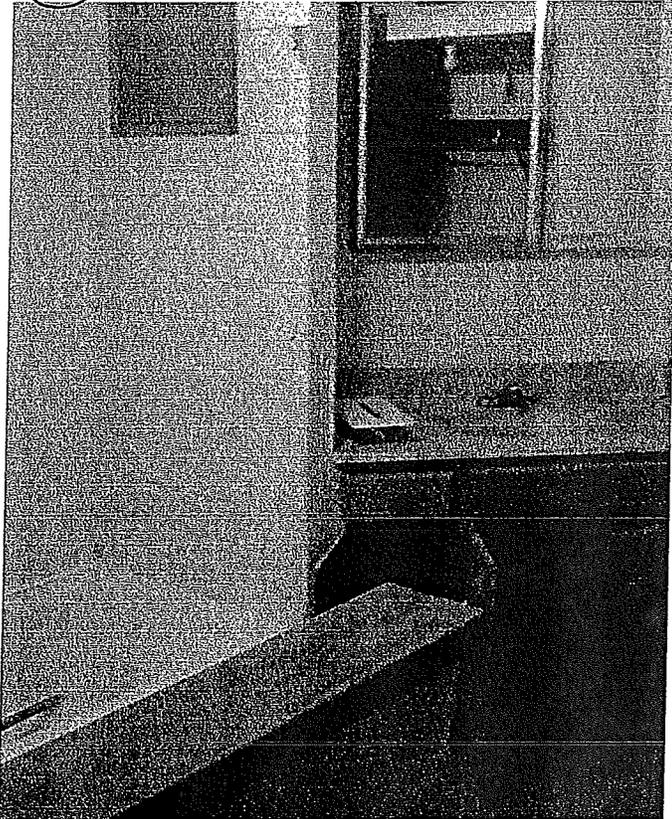
2-BED KITCHEN

21



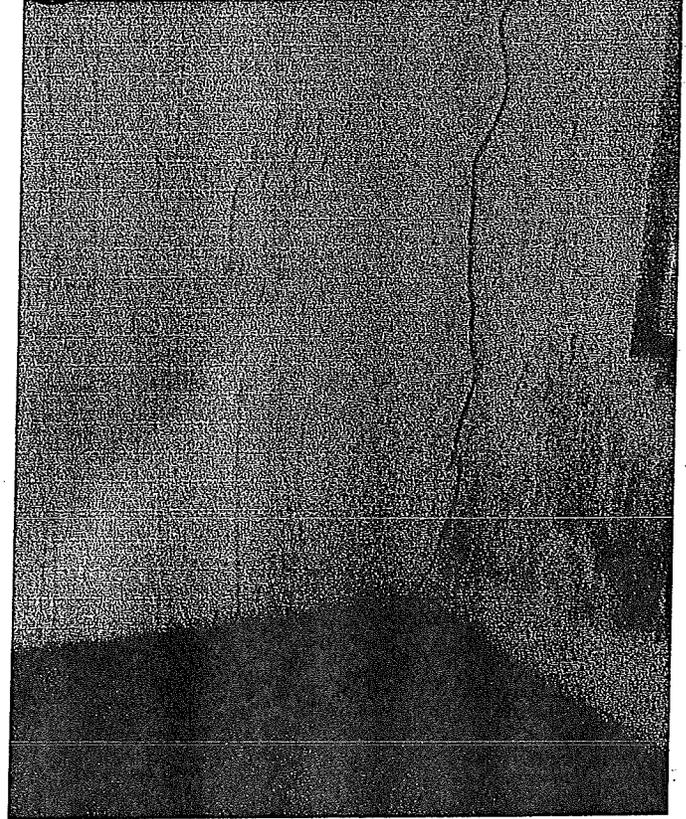
2-BED BEDROOM

22



2-BED BATHROOM

23



BIG  
EGRE  
WIND

2-BED LIVING

# MAIN LEVEL

Main Level

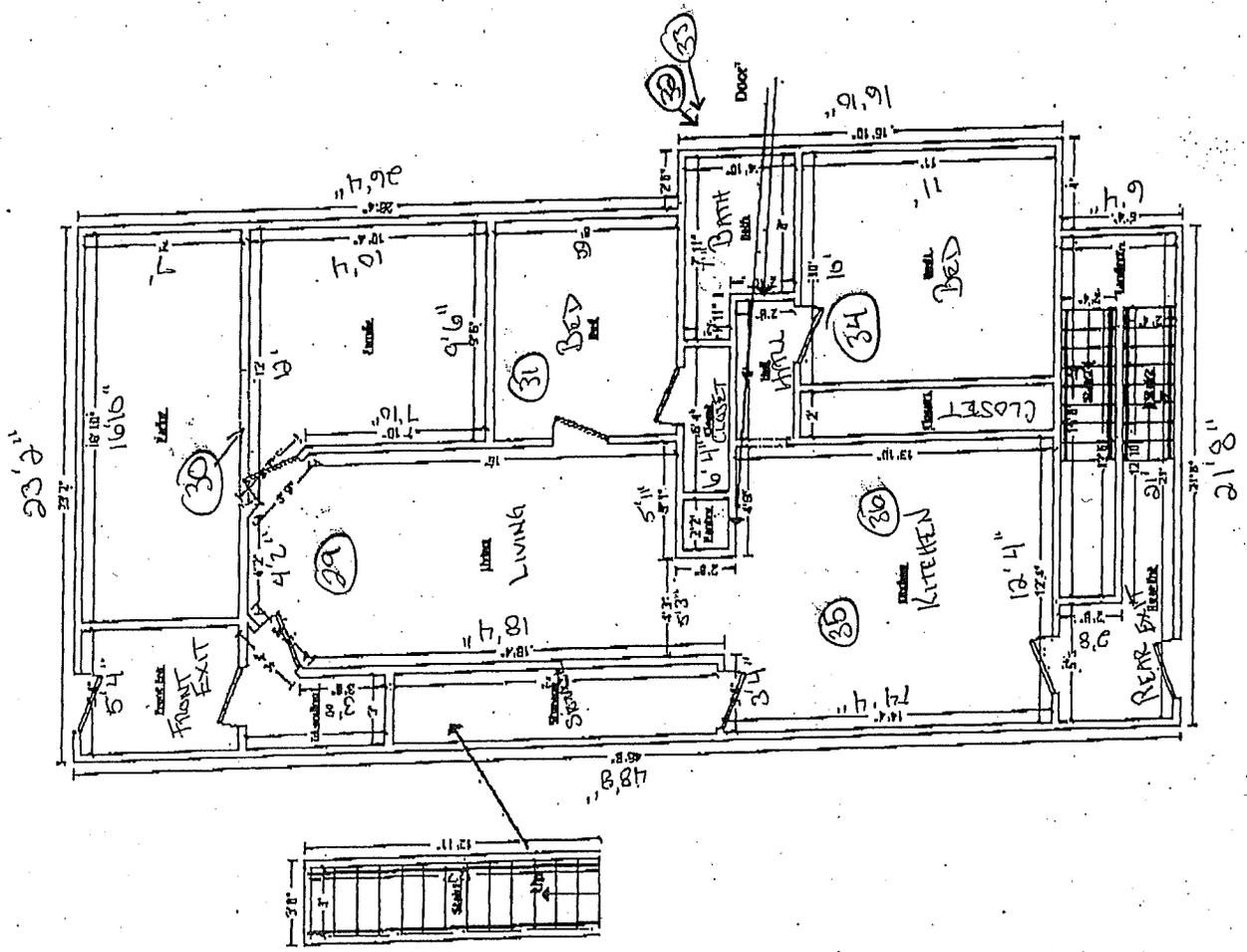
NS ↑

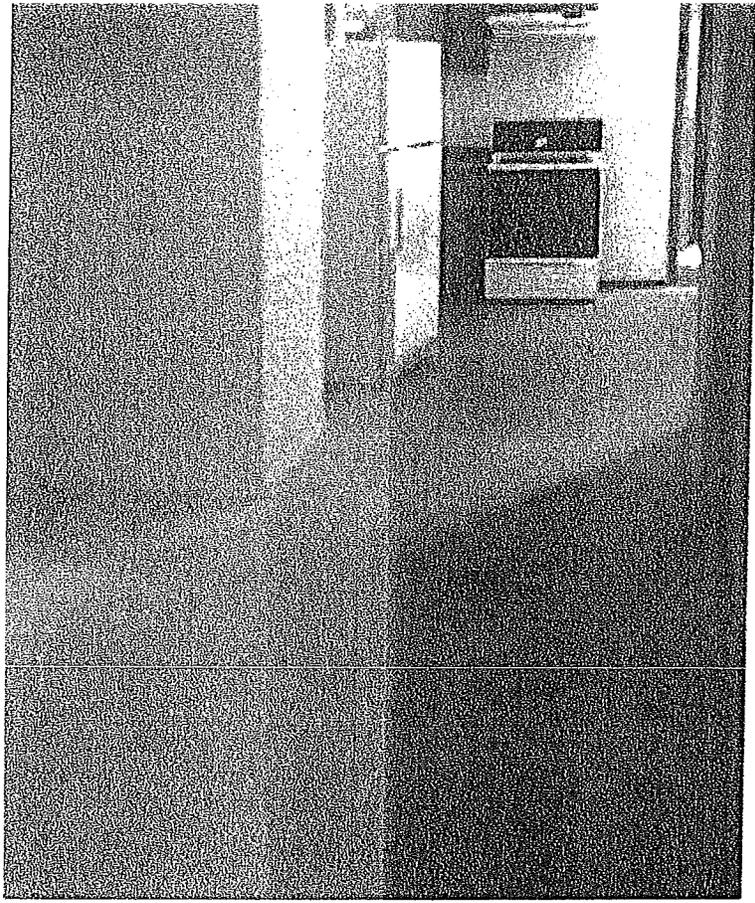
Main Level

Page: 11

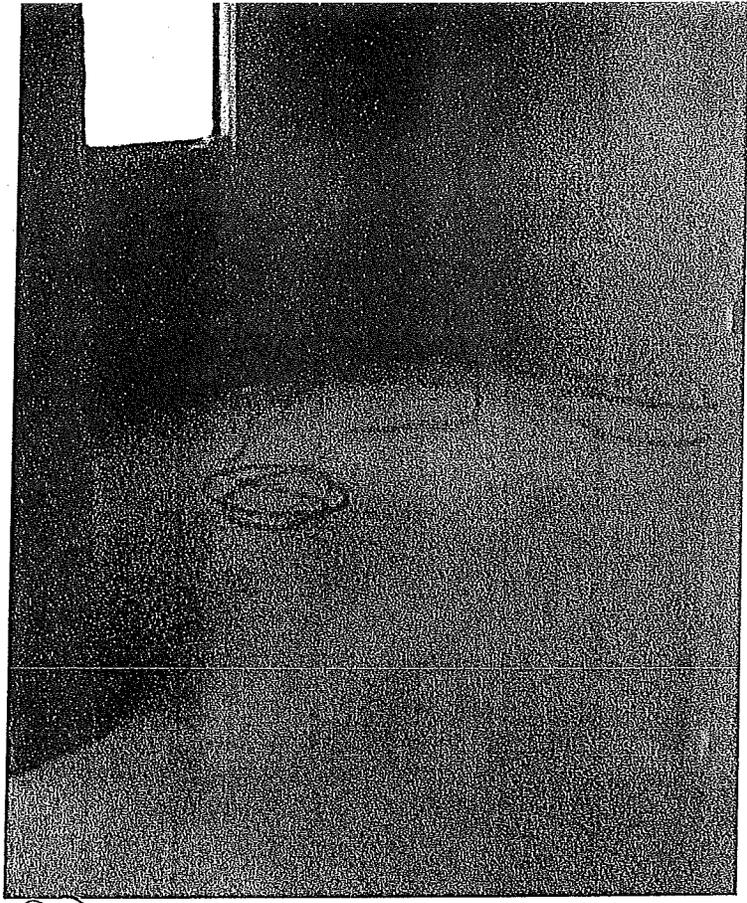
11/4/2009

BREND-909066-RC





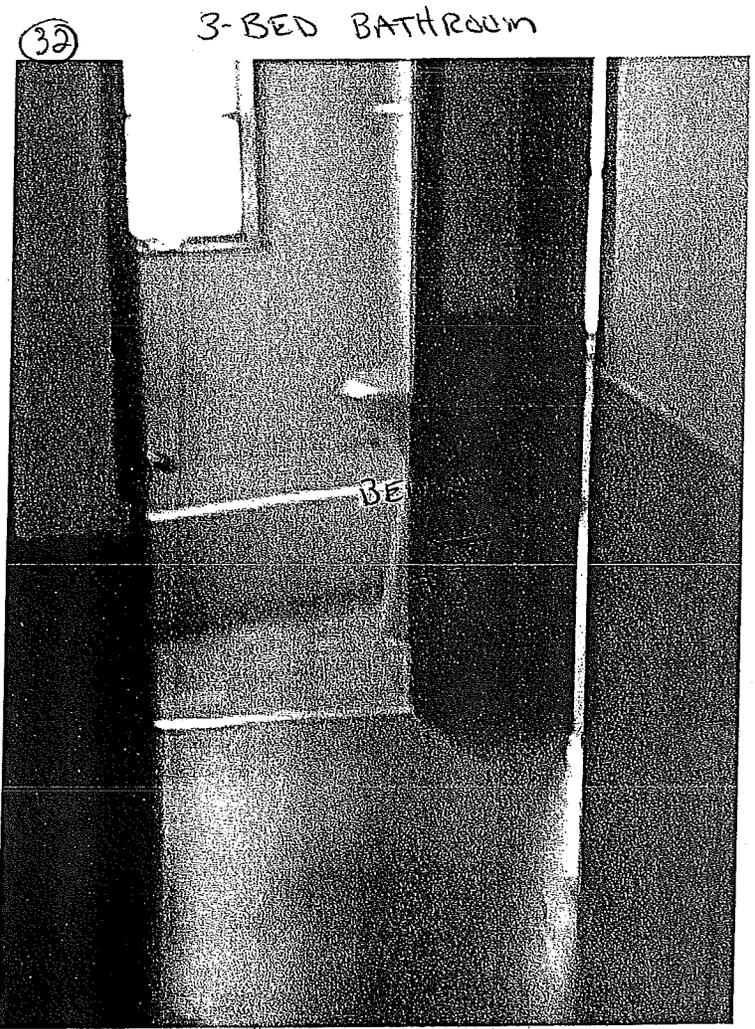
3-BED LIVING TO KITCHEN



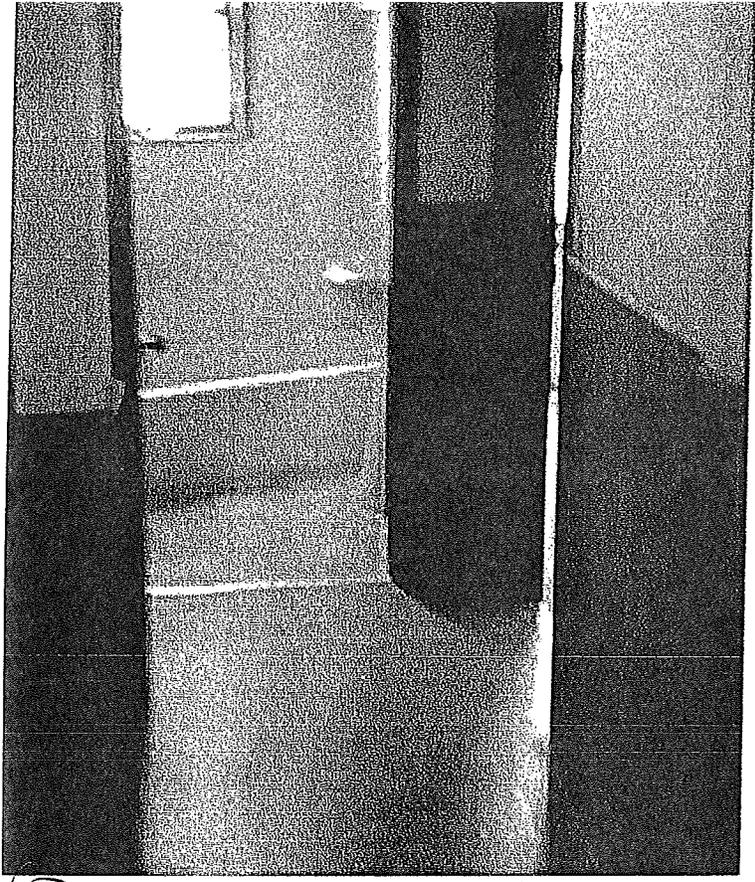
(30) 3-BED BEDROOM # 1



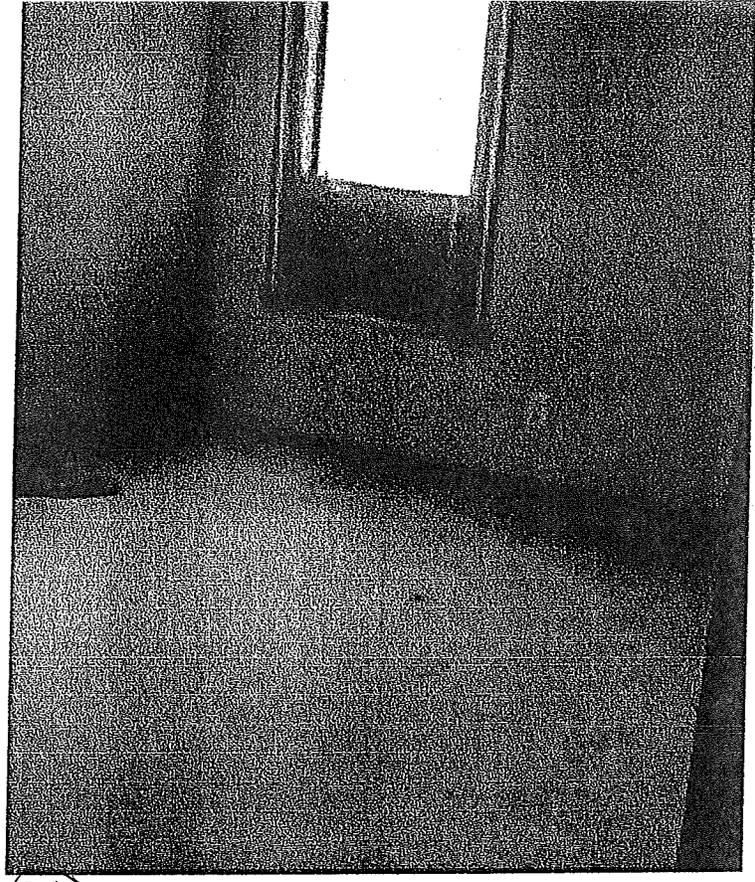
3-BED BEDROOM #2



(32) 3-BED BATHROOM

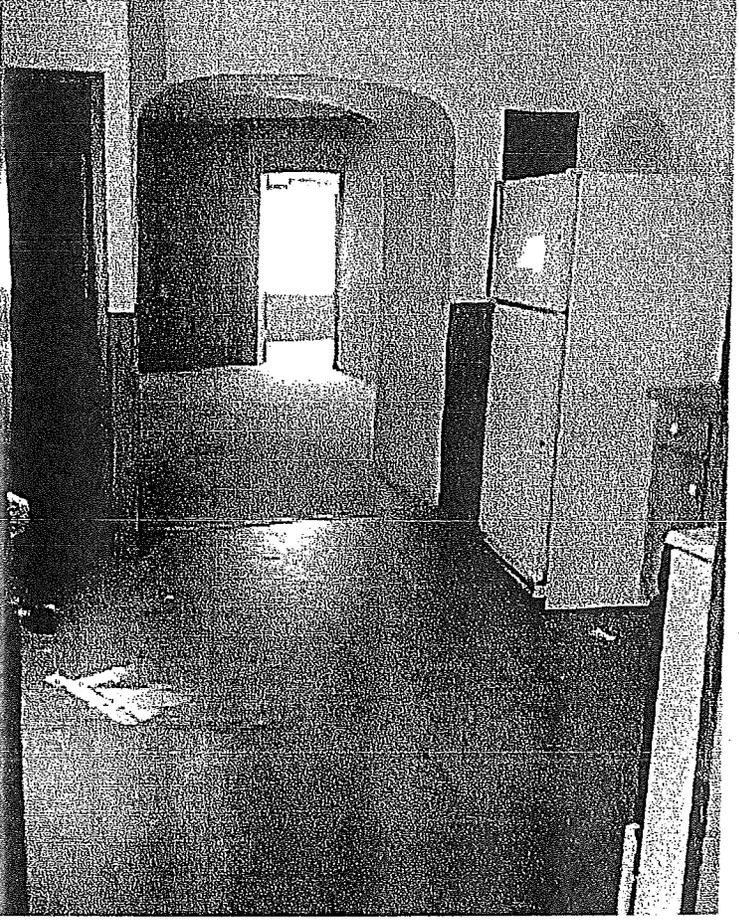


(33) 3-BEDROOM BATH

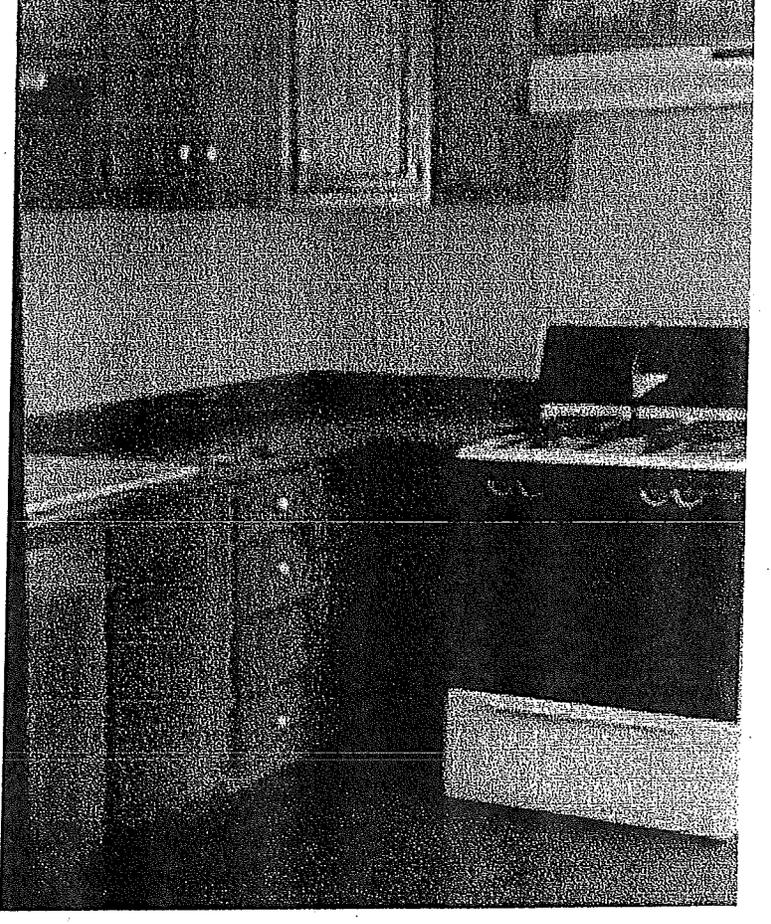


(34) 3-BED BEDROOM #3

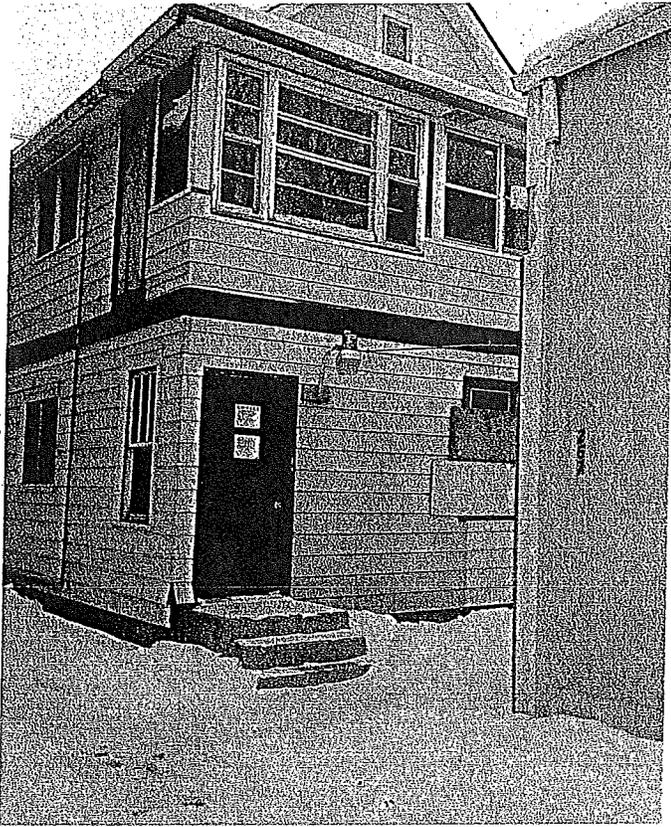
(35) 3-BED KITCHEN TO LIVINg



(36) 3-BED KITCHEN

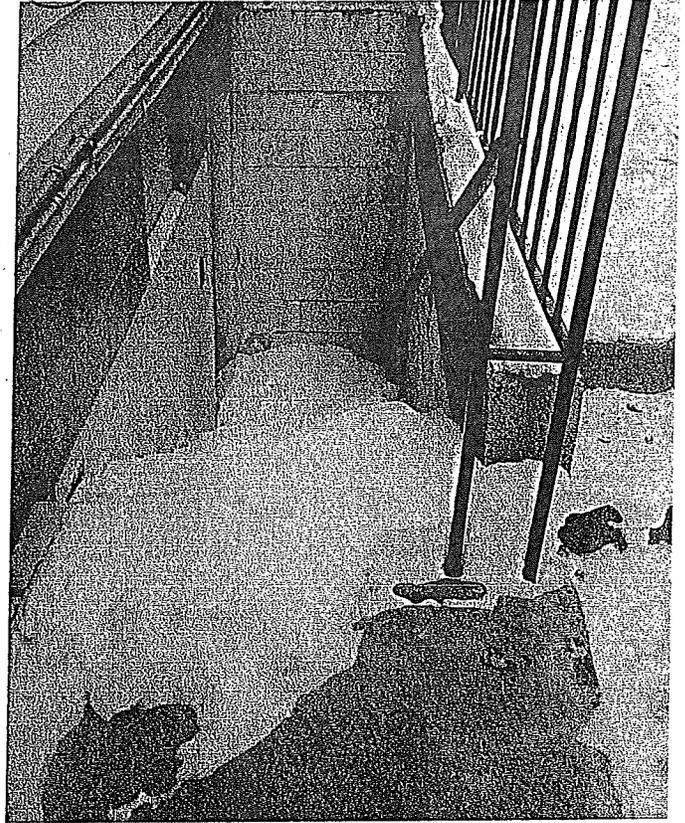


25



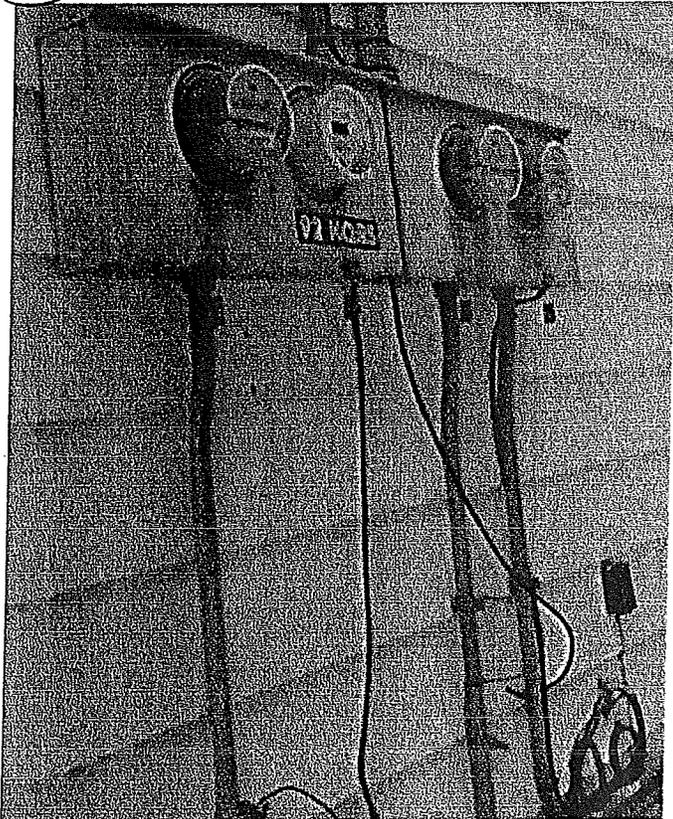
BACK OF BUILDING

26



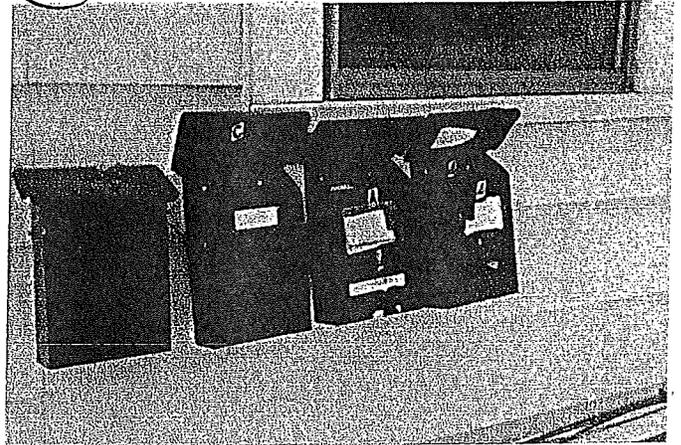
OUTSIDE STAIR TO  
2-BED

27



OUTSIDE 4- ELECTRICAL  
BOXES

28



4- MAIL BOXES

BACK

25



GROUND LEVEL

ENTRY IN

ENTRY

8

BASEMENT ENTRY 13-BED ENTRY 1

STUDIO/EFFICIENCY

THRU 9-13

UTILITY

15-18

3-BED

28-34

ENTRY LOBBY DOOR DOOR DOOR

ROOF

ENTRY

2

4 3 6 7

1-BED

5

OUTSIDE STAIR

19-24

2-BED

3-BED ENTRY 27-33

1

ENTRY IN

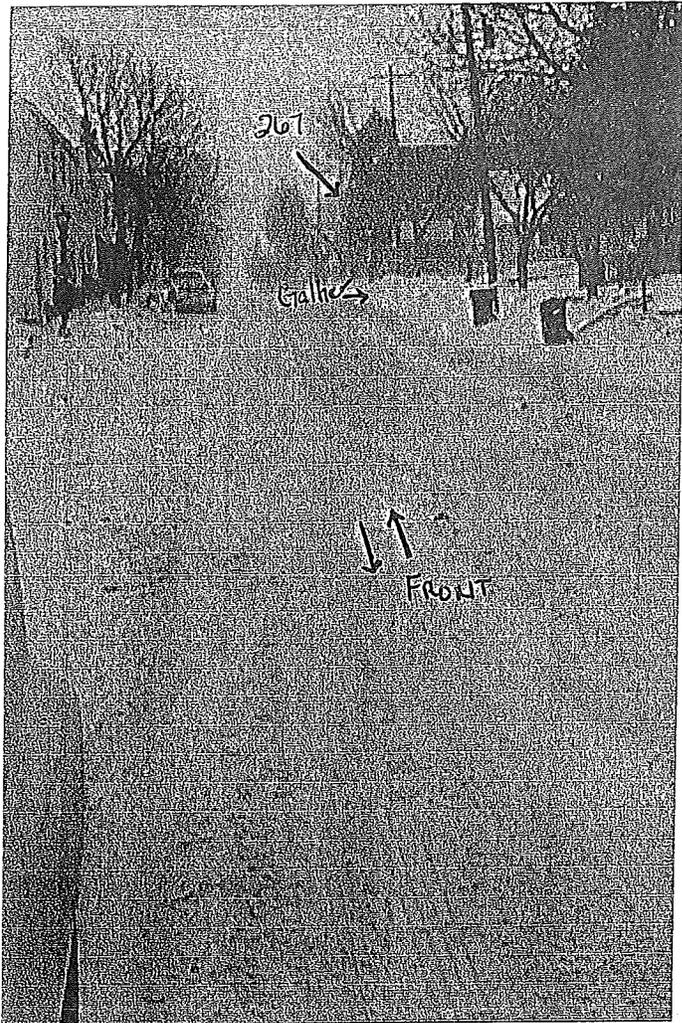
GROUND LEVEL

FRONT

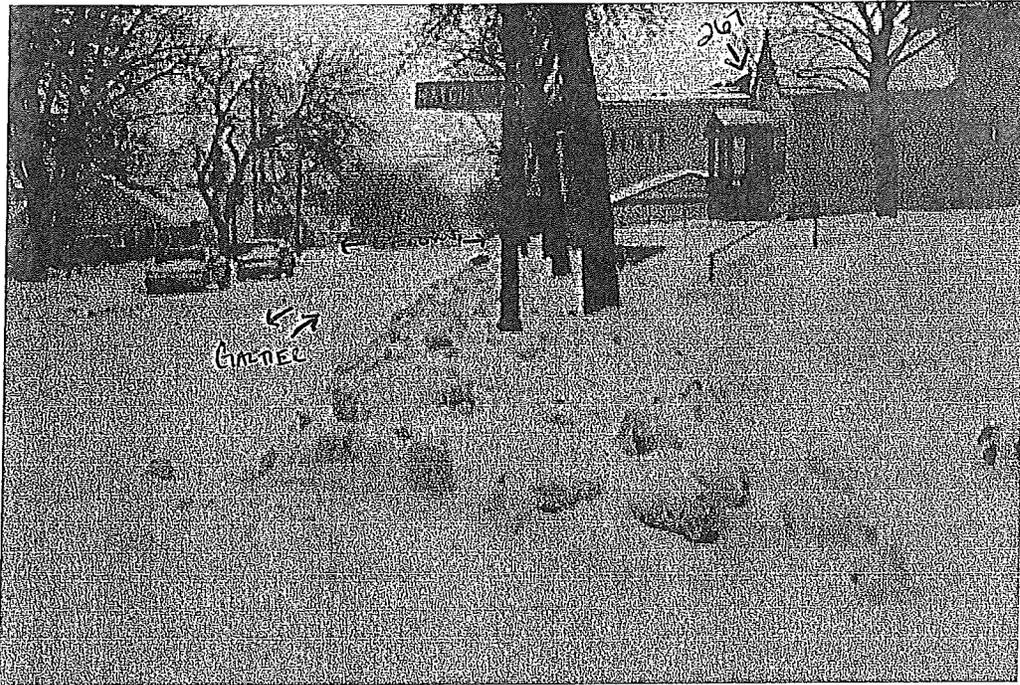


OPEN PARKING

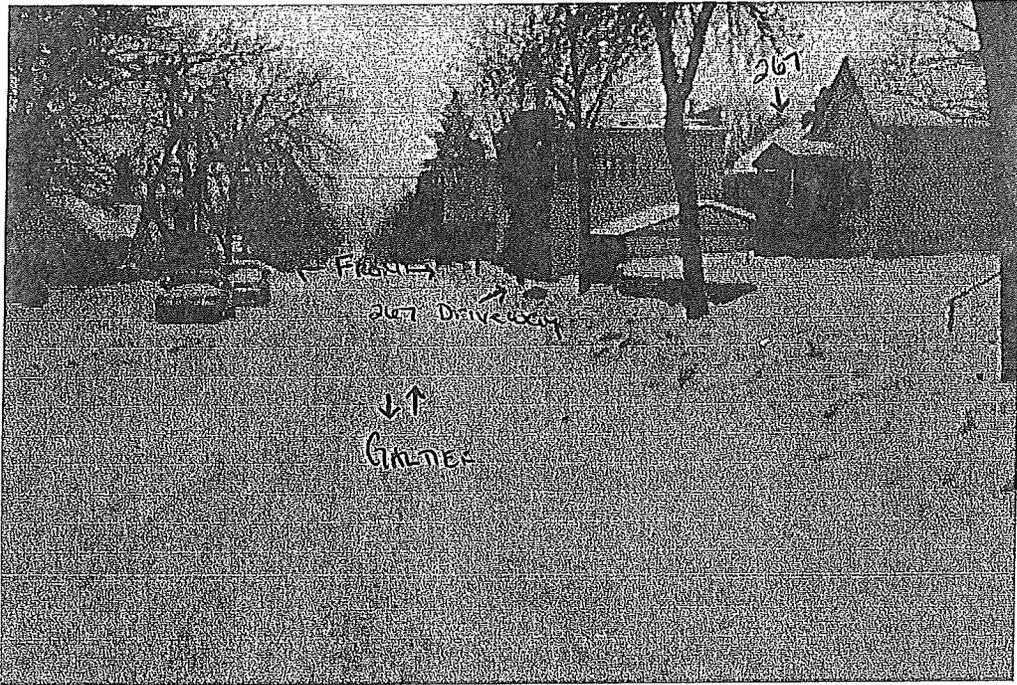
MOST ALL SURROUNDING PROPERTIES HAVE  
OFF STREET PARKING.



OPEN PARKING



OPEN PARKING



OPEN PARKING.

**MINUTES OF THE ZONING COMMITTEE**  
**Tuesday, December 29, 2009 - 3:30 p.m.**  
**City Council Chambers, 3rd Floor**  
**City Hall and Court House**  
**15 West Kellogg Boulevard**

**PRESENT:** Commers, Donnelly-Cohen, Gordon, Johnson, Kramer, Margulies and Morton

**EXCUSED:** Goodlow, Gordon, Margulies

**STAFF:** Sarah Zorn, Samantha Langer, Patricia James, and Peter Warner

The meeting was chaired by Commissioner Morton.

**Greg Brendemuehl - 09-424-870 - Re-establishment of legal nonconforming use as a 4-plex, 267 Front Ave, between Matilda & Galtier**

Sarah Zorn presented the staff report with a recommendation of denial for the re-establishment of legal nonconforming use as a 4-plex, but recommended approval of re-establishing legal nonconforming use as a duplex with conditions. Sarah Zorn also stated District 6 recommended denial, and recommended a single family use, but finds a duplex acceptable. There were 0 letters in support, and 0 letters in opposition.

Greg Brendemuehl, the applicant, stated that he will be living at the property. He contacted all the neighbors and he had complete support from everyone. Mr. Brendemuehl explained that the property currently has four apartments and he explained the layout of each unit. He stated while looking to purchase a property he was very cautious to purchase a property he could handle financially and also afford to fix or update if needed. He stated records indicate that a Certificate of Occupancy was approved in 2004 for 4 units. It was supposed to be renewed in 2007 and the owner wasn't able to fix the deficiencies that the City cited. He stated that he is financially able to do so. Mr. Brendemuehl stated he disagreed with Finding 3(2) of the staff report and explained that the expense to turn the property into a duplex would cause definite financial hardship. He also stated he doesn't believe that the parking would be detrimental to the area. He addressed the issues raised by District 6, explaining that he believes the yard size is appropriate, he will not add any other units, and he will be able to fix the deficiencies listed by the City.

At the inquiry of the Commissioners, Mr. Brendemuehl, stated that the garage would be used for personal uses and storage, rather than parking due to the lack of legal access.

Laurie Brendemuehl, 26051 Eaton Avenue, Saint Paul, spoke in support. Ms. Brendemuehl explained that she is Greg's mother and she saw how much research went into purchasing this property. She explained that their family is very supportive and willing to help him.

Kerry Antrim, District 6 Planning Council, spoke in opposition. She referred to a letter submitted by the Planning Council stating that they are opposed and offered to take any questions regarding the letter. She also mentioned that the decision was reached via email and it was unanimous.

Upon questions of the Commissioners, Ms. Antrim, stated that if the applicant isn't able to change the property to a duplex or single family home, she believes the house will be left empty, deteriorate and need to be torn down. She explained that District 6 does follow specific criteria when making these decisions and the 71 deficiencies listed by the City was taken into consideration. She also explained that the concern of land pollution was due to the previous owner doing car repair.

Upon further questions of the Commissioners, Mr. Brendemuehl stated he is in contract to purchase the property and he cannot get out of the purchase agreement. He also explained that he understands that there is no legal easement into the garage and he has signed papers with his realtor regarding this issue.

He stated he doesn't have vehicle access to the garage, but he is able to access the garage on foot without crossing the adjacent property. He stated he will use the garage for storage and other personal uses.

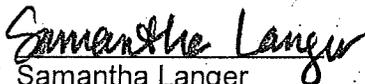
The public hearing was closed.

Commissioner George Johnson moved approval of the recommendation of denial for the re-establishment of legal nonconforming use as a 4-plex, but recommends approval of re-establishing legal nonconforming use as a duplex with conditions.. Commissioner Kathi Donnelly-Cohen seconded the motion.

The motion passed by a vote of 4-1-0.

Adopted                      Yeas - 4                      Nays - 1 (Richard Kramer)                      Abstained - 0

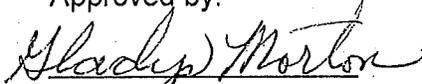
Drafted by:

  
Samantha Langer  
Recording Secretary

Submitted by:

  
Sarah Zorn  
Zoning Section

Approved by:

  
Gladys Morton  
Chair

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Greg Brendemuehl **FILE #09-424-870**
  2. **APPLICANT:** Greg Brendemuehl **HEARING DATE:** December 29, 2009
  3. **TYPE OF APPLICATION:** Nonconforming Use Permit-Reestablishment
  4. **LOCATION:** 267 Front Ave, between Matilda & Galtier
  5. **PIN & LEGAL DESCRIPTION:** 252923130208; AUERBACH & HAND'S ADDITION TO THE CITY OF ST. PAUL LOT 5 BLK 47
  6. **PLANNING DISTRICT:** 6
  7. **ZONING CODE REFERENCE:** §62.109(d) **PRESENT ZONING:** B2
  8. **STAFF REPORT DATE:** December 21, 2009 **BY:** Sarah Zorn
  9. **DATE RECEIVED:** December 3, 2009 **60-DAY DEADLINE FOR ACTION:** February 1, 2010
- 

- A. **PURPOSE:** Re-establishment of legal nonconforming use as a 4-plex
- B. **PARCEL SIZE:** 40 ft. (Front) X 130 ft. = 5,200 sq. ft.
- C. **EXISTING LAND USE:** Vacant residential structure and commercial warehouse/garage.
- D. **SURROUNDING LAND USE:**
  - North: Single and two-family residential (RT1)
  - East: Vacant commercial (B2)
  - South: Single and two-family residential (RT1)
  - West: Single and two-family residential (RT1)
- E. **ZONING CODE CITATION:** §62.109(d) lists the conditions under which the Planning Commission may grant a permit to re-establish a nonconforming use.
- F. **HISTORY/DISCUSSION:** In 1982, when the residential structure was being moved to the property, there was a variance application for a reduced setback (#9144). The setback issue was resolved and the application was later withdrawn. A site plan was also submitted at this time (File #675), but was abandoned by the applicant.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 6 Council recommends a single family use for this property, but finds a duplex acceptable.
- H. **FINDINGS:**
  1. The structure was moved to this location in 1982 from 364 Front Avenue. At that time, this lot and the commercial/residential lot to the east were combined as a single parcel. The stated intent of moving the building was to expand the contracting business into the first floor of the structure and have two units on the second level. The B2 district allows for residential units on the second floor; a residential use is permitted on the first floor as long as it occupies less than 50% of the floor area and 50% or more is used for a commercial use. The business expansion never took place, although two units may have been constructed on the upper floor. Certificate of occupancy records from 1996 indicate that the property was being used as an illegal duplex. City and County records indicate that there were five units on the property in 2001, when the lots were still combined; at least two of those units were on the upper floor of the commercial building. The parcels were later split, likely in 2002 or 2003. Records indicate that a Certificate of Occupancy was approved in 2004 for a four unit building at 267 Front. The Certificate of Occupancy was renewed in 2007 and approved with deficiencies; the deficiencies were never corrected and the C of O was revoked that same year. Although records do not indicate that a subsequent C of O was issued, a revocation is listed in 2009. A team inspection took place in June of 2009 and numerous deficiencies were cited.  
  
The existing large commercial garage structure at 267 Front was in place, and used for the contracting business, prior to the home being moved onto the combined lot in 1982. Because

there is no alley on this block, access to the garage is from Galtier and requires crossing the adjacent property to the east. This arrangement was acceptable when the lots were combined, and the combined site allowed for parking for both the business and residences; however, following the lot split, the structure at 267 Front has no legal access to parking, and there is no longer legal access to the commercial warehouse/garage structure behind the residential structure at 267 Front. The lot split was recorded by Ramsey County without review or city approval for conformance with city regulations.

2. The property has been unoccupied since 2007, when the Certificate of Occupancy for four units was revoked. The building was placed on the vacant building list in July of 2008. The applicant is seeking to re-establish the use as a four unit building, which is legally nonconforming in a B2 district.
3. Section 62.109(e) states: *When a nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of three hundred sixty-five (365) days, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
  - (1) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This finding may be met. While the former residential structure was originally constructed as a duplex according to a report done on the structure prior to it being moved to this site for a conforming purpose in 1982, there does not now appear to be a market for a conforming use of the building. On the other hand, the large commercial warehouse/garage does not fit residential use of the site and has no legal access.
  - (2) *The proposed use is equally appropriate or more appropriate to the district than the previous nonconforming use.* This finding is not met for the use as a four-plex, but may be met if the number of units were reduced to two, which appears to be the building's use when it was moved onto the site. The C of O for a four-plex in 2004 does not conform with zoning regulations then or now.
  - (3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is not met for a four-plex, but may be met for a duplex. It appears that the house was originally constructed as a duplex, and its deconversion to the original number of units would be more appropriate to the existing character of the neighborhood and consistent with the properties adjoining it to the west and north. Because the property has no legal access to parking, it is more consistent with public safety and welfare for residents from two units to park on-street than for residents from four units to park on the street.
  - (4) *The proposed use is consistent with the comprehensive plan.* This finding may be met. The Housing Policy Plan supports production of rental housing (Policy 5.3) and the Land Use Plan supports a range of housing types (Objective 5.3). However, the District 6 Plan indicates support for an increase in owner-occupied housing in this area.
  - (5) *A notarized petition of two-thirds of the property owners within one hundred (100) feet of the property has been submitted stating their support for the use.* This finding is met. The petition was found sufficient on December 9, 2009: 14 parcels eligible; 10 parcels required; 11 parcels signed.

*The application for the permit shall include the petition, a site plan meeting the requirements of section 61.401, floor plans, and other information as required to substantiate the permit. This requirement is met.*

- I. **STAFF RECOMMENDATION:** Based on the findings above, staff recommends denial of re-establishing legal nonconforming use of the building as a four-plex, but recommends approval

of re-establishing legal nonconforming use as a duplex, subject to the condition that the applicant receives a certificate of occupancy for a duplex.



**NONCONFORMING USE PERMIT APPLICATION**  
 Department of Planning and Economic Development  
 Zoning Section  
 1400 City Hall Annex  
 25 West Fourth Street  
 Saint Paul, MN 55102-1634  
 (651) 266-6589

Zoning Office Use Only  
 File #: 09-424870  
 Fee: 650.00  
 Tentative Hearing Date: 12/29-09

PD:6  
 #252923.130208

**APPLICANT**

Name GREG BRENDemuEHL  
 Address 26051 EATON AVE  
 City FARIBAULT St. MN Zip 55021 Daytime Phone 507-412-9665  
 Name of Owner (if different) CAL BRENDemuEHL  
 Contact Person (if different) \_\_\_\_\_ Phone \_\_\_\_\_

**PROPERTY LOCATION**

Address/Location 267 FRONT AVE. ST. PAUL MN 55117  
 Legal Description AUERBACH E HANDS ADDITION TO LOT 4/47  
 Current Zoning RESIDENTIAL-MULTI-FAMILY  
 (attach additional sheet if necessary) **Z: B2**

**TYPE OF PERMIT:** Application is hereby made for a Nonconforming Use Permit under provisions of Chapter 62, Section 109 of the Zoning Code:

- The permit is for:  Change from one nonconforming use to another (para. c)  
 Re-establishment of a nonconforming use vacant for more than one year (para. e)  
 Establishment of legal nonconforming use status for use in existence at least 10 years (para. a)  
 Enlargement of a nonconforming use (para. d)

**SUPPORTING INFORMATION:** Supply the information that is applicable to your type of permit.

Present/Past Use FOUR- PLEX

Proposed Use FOUR- PLEX

Attach additional sheets if necessary

12-3-09  
 CK 349  
 650.00  
 CK 349.00  
 650.00

Attachments as required  Site Plan  Consent Petition  Affidavit

Applicant's Signature Greg Brendemuehl Date 11-9-09 City Agent \_\_\_\_\_

Greg Brendemuehl 12-3-09 12/3/09  
 11-19-09

267 Front Ave.  
St. Paul MN 55117  
Greg Brendemuehl

Statement:

Hello, my name is Greg Brendemuehl. This letter is regarding my application for a non-conforming permit, 267 Front Avenue in Saint Paul 55117. I have been looking for a place to live over the summer and chose this house in St. Paul. It is a place that I can fix up to make my own. Unfortunately, it has been vacant for three years and after 365 days it reverts back to a single family dwelling. It was built as a four-plex, and in order to complete the sale as a four-plex, a non-conforming permit needs to be in place. There is code work necessary to meet Saint Paul regulations, but the property is currently structured to provide four apartments.

When speaking with all neighbors, they were excited to have someone in the neighborhood to invest a good, safe, clean effort. None of whom I spoke with were concerned about it being four-plex. I feel that my residency and ownership will benefit them and the city, as well as provide people a comfortable place to stay in a needing time.

I believe with my hard work I can provide a great location for both myself and others to live. I have included all the paperwork you need in order to make a decision towards granting the permit. I look forward to your cooperation and permitting a great housing option for the city of St Paul.

Please contact me if you have any questions or concerns

Sincerely,  
Greg Brendemuehl  
507-412- 9665

- 1). The expense intailed in meeting code for single family is estimated at 90-100 thousand dollars.  
Currently in the form of a four plex.
- 2). This building will be an excellent location to house the people of St Paul.
- 3). This permit will allow for the proper fixing of a property into a clean and approved manner for the nieghorhood.  
surrounding people are in support of my efforts.

Documentation is included.

**Greg Brendemuehl**  
507-412-9665

PROMOTIONS



CREDIT SCORE  
Click Here -\$0



TC Hail Damage?  
CALL GUARDIAN

© 2008 Comcast Cable  
Communications

[UPDATED: Privacy  
Policy](#)

[UPDATED: Terms of  
Service](#)

[Contact Us](#) [Add Comcast  
Services](#)

[Tell Us What You  
Think](#)

- 1.) Structures residential  
4 units  
now economic to convert to commercial
- 2.) proposed is same as previous  
equally

# CITY OF SAINT PAUL

## CONSENT OF ADJOINING PROPERTY OWNERS FOR A NONCONFORMING USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

A copy of the application of GREG BRENDENMUEHL,  
(name of applicant)

to establish a 4-PLEX,  
(proposed use)

located at 267 FRONT AVE. ST. PAUL MN.,  
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

**We consent to the approval of this application as it was explained to us by the applicant or his/her representative.**

	ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
①	240 Hatch Ave	Greg Bauer Jr	<i>[Signature]</i>	10/28/09
	964 Galtier St	CANDICE RUTH	<i>[Signature]</i>	10/28/09
	976 GALTIER ST	Robert Trusty	<i>[Signature]</i>	10/28/09
②	272 Front Ave	FRANCIS GARDNER	<i>[Signature]</i>	10/28/09
③	959 GALTIER ST.	Amir Penaz	<i>[Signature]</i>	10/28/09
④	975 Galtier St	Patty Bearder	Patty Bearder	11/17/09
⑤	276 Hatch	Zsuzsanna	<i>[Signature]</i>	11/18/09
⑥	976 Milleda	Suzanne	<i>[Signature]</i>	11/18/09
⑦	276 Front	Son Der	<i>[Signature]</i>	11/18/09
⑧	271 Front	WONEL HOWELL	<i>[Signature]</i>	11/18/09
⑨	277 FRONT	MIKE VIKELINS	<i>[Signature]</i>	11/18/09
⑩	267 FRONT			

**NOTE:** All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

CITY OF SAINT PAUL

CONSENT OF ADJOINING PROPERTY OWNERS FOR A  
NONCONFORMING USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

A copy of the application of WREG BRENDENUEHL  
(name of applicant)

to establish a 4- PLEX  
(proposed use)

located at 267 FRONT AVE. ST. PAUL MN.  
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
260 Hatch Ave	Greg Bauer Jr	<i>[Signature]</i>	10/26/09
964 Galtier St	Christine Roth	<i>[Signature]</i>	10/28/09
976 Galtier St	Robert Trust	<i>[Signature]</i>	10/28/09
972 Front Ave	Francis Corbett	<i>[Signature]</i>	10/28/09
959 Galtier St.	Ann Panaz	<i>[Signature]</i>	10/28/09
975 Galtier St	Patty Bearden	Patty Bearden	11/17/09
⑩ 267 FRONT AVE	Ann Walter	<i>[Signature]</i>	11/25/09
⑪ 283 Front Ave	E.L. Management	<i>[Signature]</i>	12/1/09

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

9/08

CITY OF SAINT PAUL

AFFIDAVIT OF PETITIONER FOR A CONDITIONAL  
USE PERMIT OR A NONCONFORMING USE  
PERMIT

STATE OF MINNESOTA)

:SS

COUNTY OF RAMSEY)

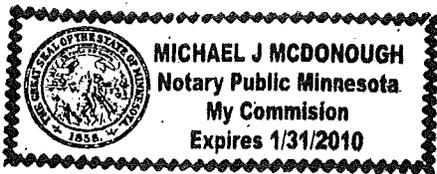
The petitioner, Greg Brendemuehl, being first duly sworn, deposes and states that the consent petitioner is informed and believes the parties described on the consent petition are owners of the parcels of real estate described immediately before each name; each of the parties described on the consent petition is an owner of property within 100 feet of the subject property described in the petition; the consent petition contains signatures of owners of at least two-thirds (2/3) of all eligible properties within 100 feet of the subject property described in the petition; and the consent petition was signed by each said owner and the signatures are the true and correct signatures of each and all of the parties so described.

Greg Brendemuehl  
NAME

26051 Eaton Ave. Faribault  
ADDRESS

507-412-9665  
TELEPHONE NUMBER

Subscribed and sworn to before me this  
1 day of DECEMBER, 2009



NOTARY PUBLIC

ZONING PETITION SUFFICIENCY CHECK SHEET

REZONING

SCUP

NCUP

FIRST SUBMITTED

RESUBMITTED

DATE PETITION SUBMITTED: 11-19-09

DATE PETITION RESUBMITTED: 12-3-09

DATE OFFICIALLY RECEIVED: \_\_\_\_\_

DATE OFFICIALLY RECEIVED: \_\_\_\_\_

PARCELS ELIGIBLE: 14

PARCELS ELIGIBLE: 14

PARCELS REQUIRED: 10

PARCELS REQUIRED: 10

PARCELS SIGNED: 9

PARCELS SIGNED: 11

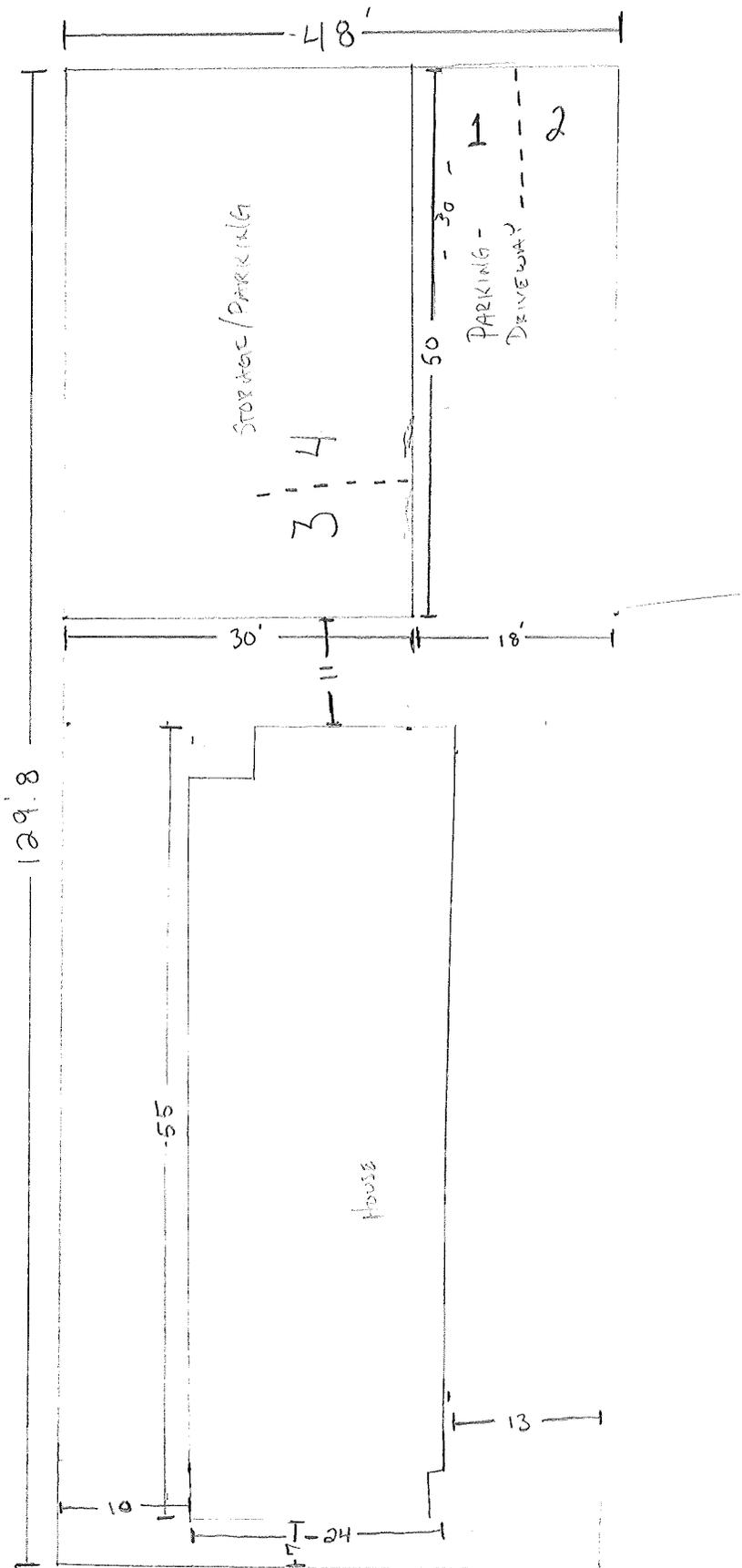
CHECKED BY: Paul Dubruiel  
Paul Dubruiel

DATE: 11-23-09  
12-9-09

AUERBACH & HANDS ADDITION TO LOT 4/47

129'85" X 48'

1" = 15'



☐ = GARAGE  
 ☒ = ON STREET PARKING

CHURCH

RENTAL ☐

BUSINESS ☐

MATILDA

RENTAL ☐

DUPLEX ☒

DUPLEX ☒

4-PLEX

DUPLEX ☐

GALTER

DUPLEX ☐

FRONT

RENTAL ☐

DUPLEX ☐

DUPLEX ☒

BUSINESS/  
 DUPLEX

DUPLEX ☐

DUPLEX ☒

DUPLEX ☐

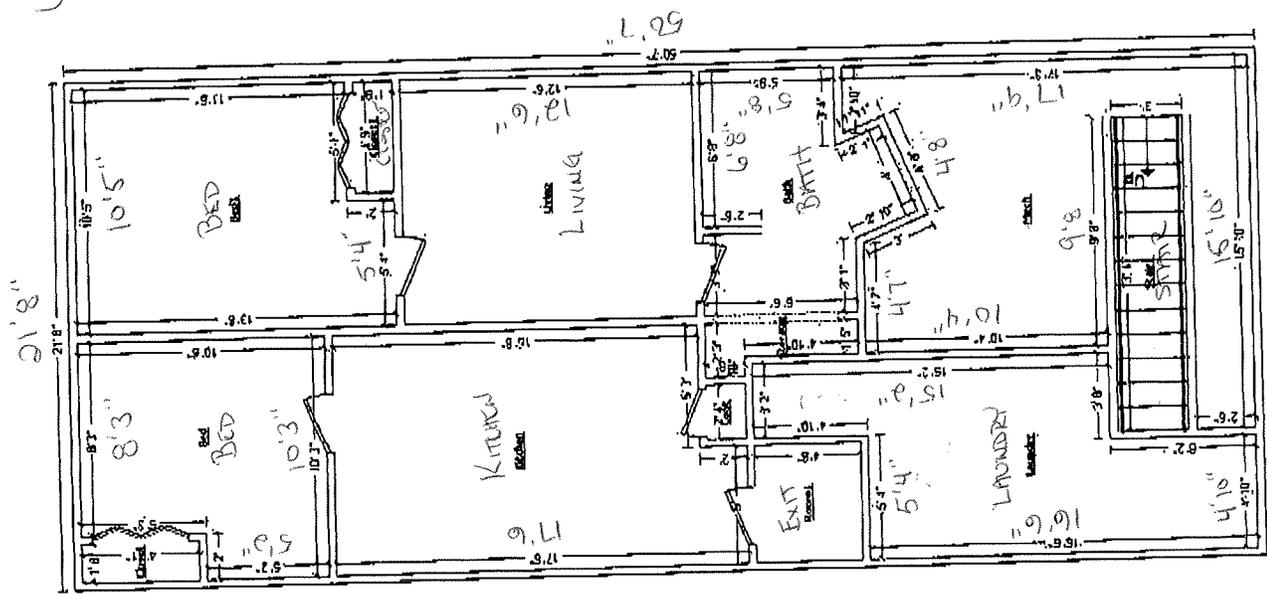
FORECLOSURE ☒

DUPLEX ☒ | DUPLEX ☐



Two BED (DOWNSTAIRS)  
+ UTILITY

Garden Level



60  
4  
3

Garden Level

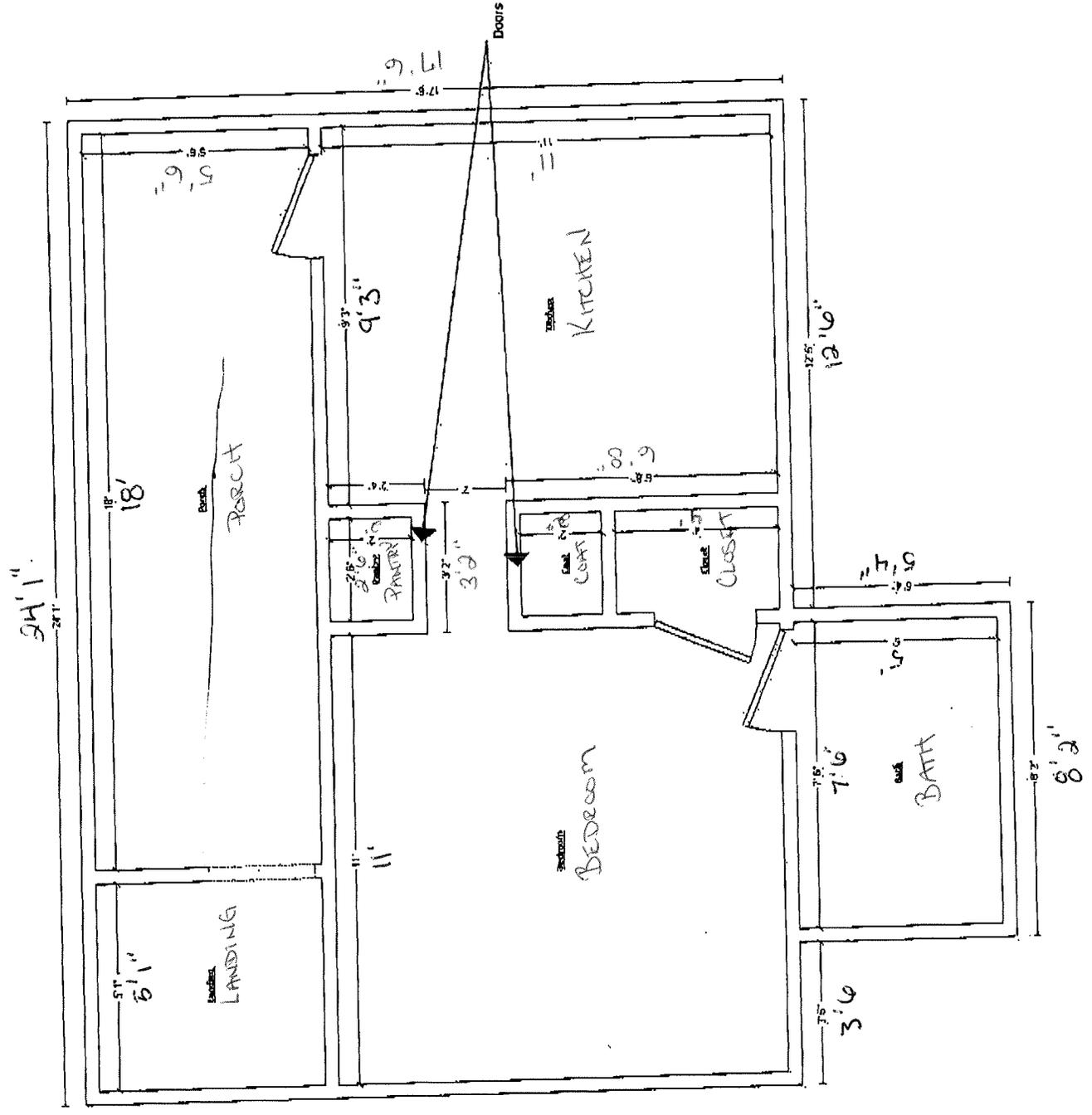
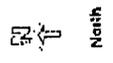
Page: 10

11/4/2009

BREND-909066-RC

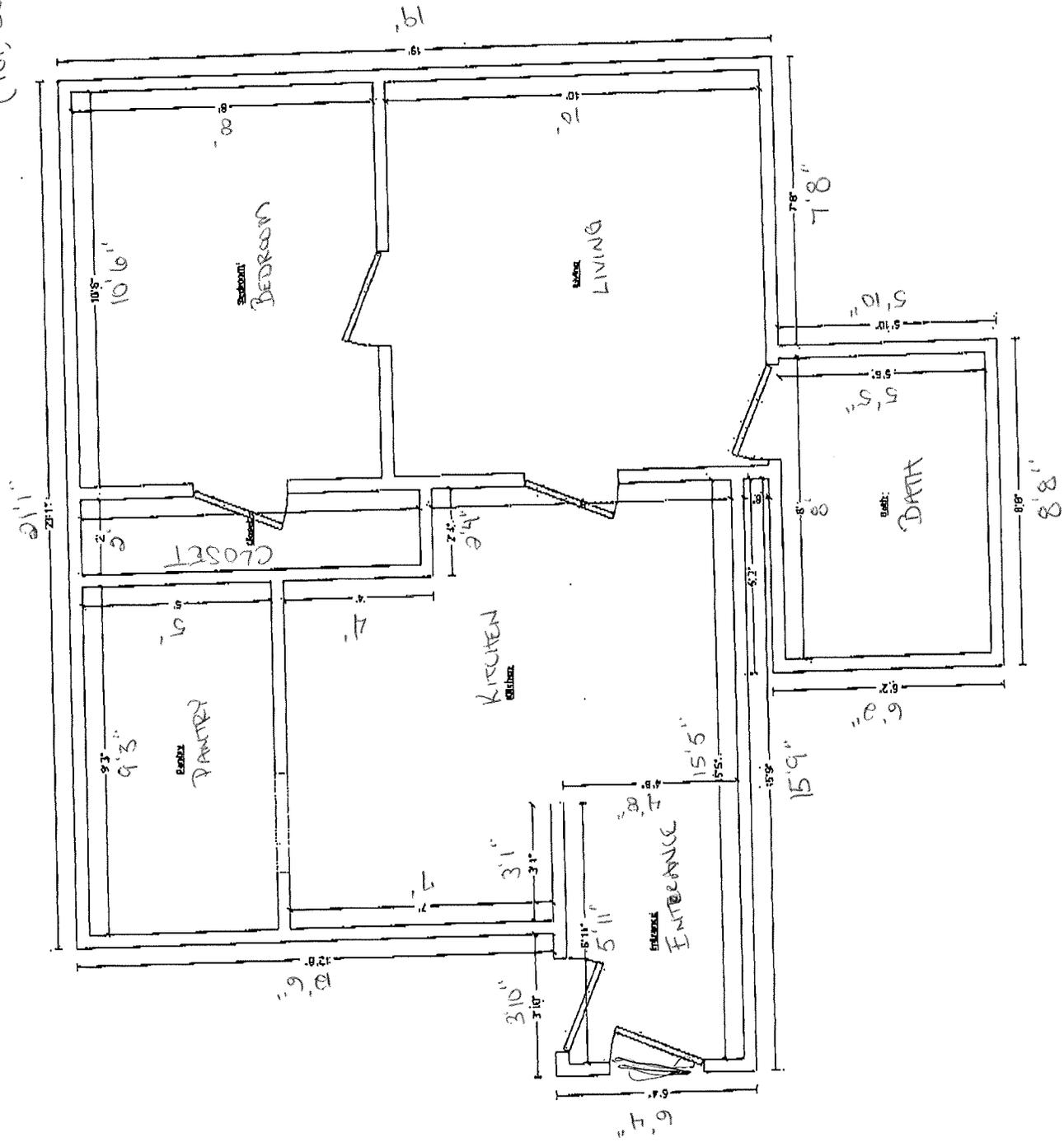
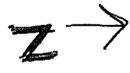
STUDIO (TOP, NORTH)

North



ONE BEDROOM  
(TOP, SOUTH)

South



South



District 6 Planning Council

213 Front Avenue  
Saint Paul, MN 55117  
651-488-4485 fax: 651-488-0343  
[district6@qwestoffice.net](mailto:district6@qwestoffice.net)

December 8, 2009

Planning & Economic Development  
Department of Zoning  
# 252923130208-267 Front Avenue  
Re-establishment of a nonconforming use permit vacant for more than 1 year

District 6 Planning Council received preliminary information concerning an application of a nonconforming use permit for the property located at 267 Front Avenue. District 6 Planning Council's Land Use Task Force recommends that the building has a single-family use, but will recommend approval of a duplex.

The present and past use as indicated on the application is single family and the proposed use is a four-plex. This structure sits close to the sidewalk on a small lot with the yard taken up by an industrial garage. Removing the garage would give more space, but there are concerns with land pollution. This application also runs counter to the District 6 Large Area Plan goals of increasing home ownership and decreasing the ratio of rental property and housing density. From a practical standpoint there is a surplus of housing units and high residential vacancies which should preclude adding more units.

According to the Team Inspection dated June 9, 2009 there are seventy-three deficiencies that must be corrected before a Certification of Occupancy is issued. The list runs from installing house numbers to repair walls, electrical issues to providing exits from units. The cost of rehabbing this structure may far outweigh the income generated by rehabbing it. District 6 Planning Council has adopted a set of criteria concerning the rehab of vacant buildings and this structure falls into the removal not rehab category. As stated, if this property is to be rehabilitated, the Land Use Task Force recommends it being a single family home.

If you have comments or questions please contact the office at the numbers above.

Regards,

Jeff Martens

Jeff Martens  
Land Use Task Force Chairman

Cc: Councilmember Lee Helgen

AA-ADA-EEO-Employer

History for # 09-424-870

3/5/87

To: File  
From: Tom Beach  
RE: Closing of file

This Site Plan Review file was closed on 3/5/87 as an inactive file.

We had not heard from the applicant in over 6 months so a letter was sent to the applicant instructing him to notify us if he wanted the file to be kept open. After 30 days no reply was received.

So we closed the puppy up!

APPLICATION FOR SITE PLAN REVIEW  
CITY OF SAINT PAUL

Site Plan Review # 675

Application is hereby made to the Planning Commission for Site Plan Review under the provisions of Section 62.108 of the Zoning Code for the project and property described below:

PROJECT NAME: Expansion: Office & Storage

PROPERTY ADDRESS/LOCATION: 263-267 Front Ave. (N.W. cor. Galtier + Front)

LEGAL DESCRIPTION: Auerbach & Hands Edition. Lots 4 & 5. Lot 47

OWNER: Name Joseph J. Taney Address 1266 Galtier Phone 489-3151

APPLICANT: Name Same Address \_\_\_\_\_ Phone \_\_\_\_\_

TYPE OF USE: Mixed - Business/Residential  
Attach written narrative describing the development and type of use.

PROJECT COST ESTIMATE: \$60,000.00

\$3,500.00 Site Improvements (utilities, drainage facilities, paving, lighting)

\$300.00 Landscaping (planting materials, sodding/seeding)

\$3,800.00 TOTAL

Ten copies of a site plan are submitted which include the following information as described on the attached "Site Plan Review Requirement":

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Property boundaries   | <input checked="" type="checkbox"/> Drainage Plan                      |
| <input checked="" type="checkbox"/> Building locations and dimensions on and within 25 feet of property | <input checked="" type="checkbox"/> Parking areas, loading docks, etc. |
| <input checked="" type="checkbox"/> Roadways, access  | <input checked="" type="checkbox"/> Landscape Plan                     |
| <input checked="" type="checkbox"/> Grading Plan  | <input checked="" type="checkbox"/> Utility Plan                       |
|   | <input checked="" type="checkbox"/> Easement locations                 |
|   | <input checked="" type="checkbox"/> Development Summary                |

A Filing Fee of \$50.00\*\*\*\*\* is paid as required (see "Site Plan Review Requirements").

Applicant's signature David P. Linder Date 4-6-82 City Agent JD

*pd. \$50.00 4/6/82*

If you have any questions, please contact:

St. Paul Zoning Office  
1100 City Hall Annex  
25 West Fourth Street  
Saint Paul, Minnesota 55102  
(298-4154)

4101  
1/1/82



GEORGE LATIMER  
MAYOR

CITY OF SAINT PAUL  
DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

DIVISION OF PLANNING  
25 West Fourth Street, Saint Paul, Minnesota, 55102  
612-298-4151

April 23, 1982

Joseph T. Taney  
1266 Galtier  
St. Paul, Minnesota 55117

Re: Letter of Intent to Approve Site Plan Review #675, Office Expansion,  
263-267 Front Avenue (NW corner Galtier and Front)

Dear Mr. Taney:

We intend to approve the referenced site plan upon receipt of a performance bond agreement to ensure landscaping improvements of \$1000.00.

This intent to approve is subject to the following conditions:

1. Rainleaders must discharge to grade (to previous areas where possible).
2. A sanitary sewer plan must be submitted to the Sewer Division.
3. The site must be landscaped as indicated on the plan, dated April 21, 1982, and agreed to by the City's design staff and the contractor.

If you have any questions, please call Donna Daykin at 292-6224.

Sincerely,

*Peggy A. Reichert*

Peggy A. Reichert  
Deputy Director - Planning

PAR/DD/cc



CONCRETE BLOCK RETAINING WALL - APPROX 4'-0" ABOVE  
PARKING SURFACE

PROPERTY BOUNDARY PL

---

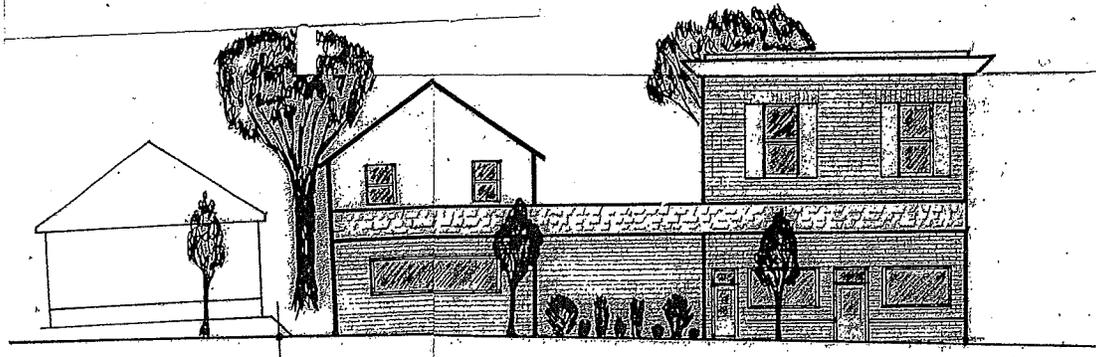
SPOT ELEVATIONS (INCHES - ABOVE) X ± 1.25

---

DRAINAGE FLOW →

---

EXISTING TREES TRUNK DIAMETER:  $\frac{3}{16}$   
APPROX HEIGHT:  $\frac{15}{16}$



Proposed South Elevation

<b>OFFICE EXPANSION</b>			
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: APL	CHECKED:
DATE: 4-6-82			
JOE TANEY GENERAL CONTR'S.			
			DRAWING NUMBER:

REPORT ON BUILDING TO BE MOVED  
AND LOCATION AT NEW SITE

X Present Location 364 FRONT  
X Type of Bldg: Single \_\_\_\_\_ Duplex X Apt. \_\_\_\_\_ Commercial \_\_\_\_\_  
X Size: 24 x 51 ft. wide; \_\_\_\_\_ ft. long \_\_\_\_\_ ft. high.  
No. of stories 2 Basement yes  
Condition of Building GOOD

Code Violations: Window sizers to conform to present code of 8% of floor area & provided for recesses & egress from bed rooms. Damaged plaster and floors to be replaced. All mech. & elec. to meet present codes.

X MOVER'S NAME SEMPLE MOVERS  
Address \_\_\_\_\_ License No. \_\_\_\_\_

X NEW LOCATION: On 265 FRONT side of WEST LOT OF 263 FRONT

X Between 263 & 267 FRONT and \_\_\_\_\_

Lot \_\_\_\_\_ Block \_\_\_\_\_ Add. \_\_\_\_\_

Zoning: B-2

Size of Lot Site plan submitted to D. Lane

Setback: Front \_\_\_\_\_ Side Yards \_\_\_\_\_ Rear Yard \_\_\_\_\_

Foundation Permit No. \_\_\_\_\_

MOVING ROUTE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECOMMENDATIONS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2 APRIL 19 82

D. P. Roney  
Inspector



CITY OF SAINT PAUL

OFFICE OF LICENSE, INSPECTIONS AND ENVIRONMENTAL PROTECTION

BUILDING INSPECTION AND DESIGN

350 St Peter Street - Suite 300

Saint Paul, Minnesota 55102-1510 651-266-9090

183671

Permit No.

Egress Window  
DESCRIPTION OF PROJECT

PLAN NO.

DATE 6/23/99 OWNER Lonnie D. LeClair

OWNERS ADDRESS 263-267 Front Ave St Paul, MN

TYPE CONST. V-N TYPE OF OCCUPANCY APARTMENT R-1

BUILD AND EXC. STUCCO OR PLASTER DRYWALL FENCE

ADDITION ALTER REPAIR MOVE WRECK

NUMBER STREET SIDE CROSS STREETS

267 Front Ave

WARD LOT BLOCK ADDITION OR TRACT

LOT WIDTH DEPTH SIDE LOT CLEARANCE BUILDING LINE FRONT REAR

STRUCTURE WIDTH LENGTH HEIGHT STORIES

ESTIMATED VALUE BASEMENT TOTAL FLOOR AREA  
\$600.00 YES NO SQ. FT. INCLUDE BASEMENT

DETAILS & REMARKS:

INSTALL EGRESS WDW IN BASEMENT  
BEDROOM WDW

INSP- TODD BENSON @ 266-9028 TEL. NO.

ARCHITECT (7:30-9:00 AM) 651-698-4171

CONTRACTOR Lonnie LeClair OWNER

MASONRY ADDRESS & ZIP

PERMIT FEE 23.75 STATE VALUATION \$600.00

PLAN CHECK		06/23/99 0001209:24AM CLERK 1
STATE SURCHARGE	.50	2611 BUILDING *23.75
		9534 SURCHARGE B *.50
		SUBTTL *24.25
TOTAL FEE	\$ 24.25	CHECK TND *24.25
		CHANGE *.00

APPLICANT CERTIFIES THAT ALL INFORMATION IS CORRECT AND THAT ALL PERTINENT STATE REGULATIONS AND CITY ORDINANCES WILL BE COMPLIED WITH IN PERFORMING THE WORK FOR WHICH THIS PERMIT IS ISSUED.

CASHIER USE ONLY WHEN VALIDATED THIS IS YOUR PERMIT

AUTHORIZED SIGNATURE

ADDRESS OF JOB 267 Front Ave

ZONING REVIEW REQUEST  
Certificate of Occupancy

(-263)

ADDRESS: 267 Front Ave DATE: 25 Nov 96

PLN/PARCEL CODE: LS-29-23-13-0139 REQUESTED BY: Jary Stevens  
and renovation

PREVIOUS USE: ?

CURRENT USE: Duplex with large residential room count:  
storage shed at rear of property with access from  
Statter St (Joe Loney Construction)

ZONING DISTRICT: B-2

\_\_\_\_\_ COMMERCIAL USE:

ZONING STATUS FOR duplex RESIDENTIAL USE:

\_\_\_\_\_ LEGAL

\_\_\_\_\_ LEGAL NONCONFORMING

X \_\_\_\_\_ ILLEGAL

by: K. Tacho

date: 12-6-96

COMMENTS:  
50% of 1st floor in a B-2 zone must be used for  
commercial purposes.

If checked, to be included in correction letter:

[ X ] The use of the property does not conform to zoning requirements. Before the building may be certified, the zoning issue must be resolved. Contact the zoning section in the Building Code Division at 298-4212.

[ ] There is an outstanding zoning problem on this property. Before the Certificate of Occupancy may be renewed, the zoning issue must be resolved. Contact the zoning section in the Building Code Division at 298-4212.

[ ]

ZONING WORKSHEET

ADDRESS: 267 Front  
 PIN: 25-29-23-13-0139 dist 8

BUILDING CARD INFORMATION:

CONSTRUCTION DATE: \_\_\_\_\_ PERMIT: \_\_\_\_\_ TYPE OF STRUCTURE: \_\_\_\_\_

PERMITS                      COUNTY ASSESSOR'S RECORDS                      LICENSE RECORDS                      CITY DIRECTORY

10-28-1990 - misc 1 1/2 story ~~br~~ ~~dwel.~~

move 6-8-82 - from 364 Front conul bldg.

LEGAL DESCRIPTION: lots 4 + Lot 5 Blk 47 Amerbach + Harb's  
Add.

LOT SIZE: \_\_\_\_\_

CROSS STREETS: \_\_\_\_\_

ZONE	USE (C/NC)	UNITS PERMITTED	REQUIRED LOT SIZE	LOT SIZE (C/NC)
X	C			C
1922				
1960				
1964	Conul			
1975	B-2	ROOMS: UNITS:		

ZONING STATUS FOR \_\_\_\_\_ COMMERCIAL USE: \_\_\_\_\_ PLANNING: \_\_\_\_\_  
duplex RESIDENTIAL USE: \_\_\_\_\_ ZONING FILE \_\_\_\_\_  
 \_\_\_\_\_ LEGAL - CONFORMING \_\_\_\_\_ NO RECORD \_\_\_\_\_  
 \_\_\_\_\_ LEGAL - CONFORMING USE WITH NON-CONFORMING LOT SIZE (for residential)  
 \_\_\_\_\_ LEGAL - NON-CONFORMING USE  
f ILLEGAL

50% 1st fl. s/b conul.  
 12-6-96  
 KRZ



267 Front Avenue



Commercial building to the east



Garage access to 267 Front Ave



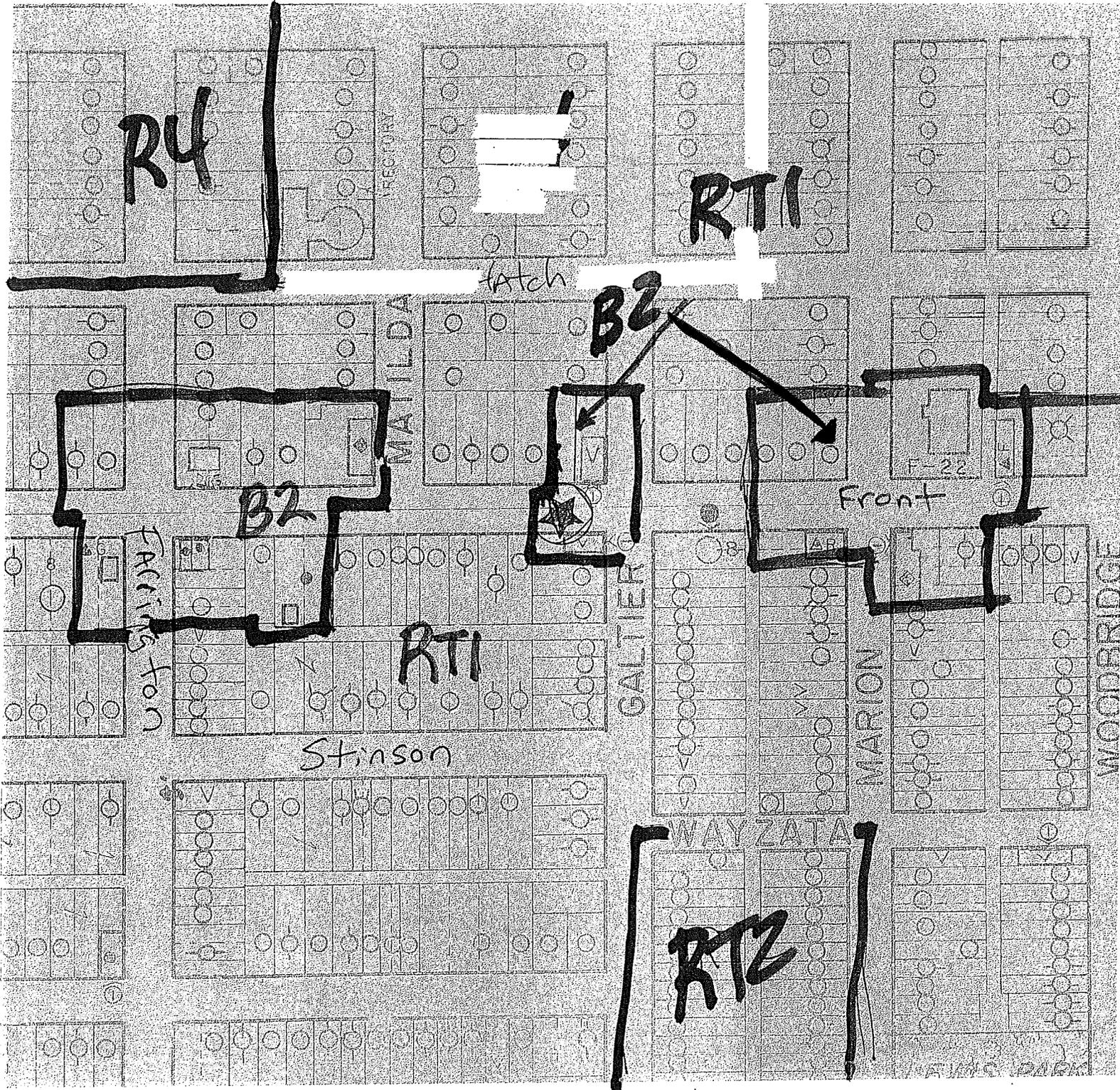
Rear view of 267 Front Ave



Properties across Front Avenue (SW & SE corners)



Adjacent property



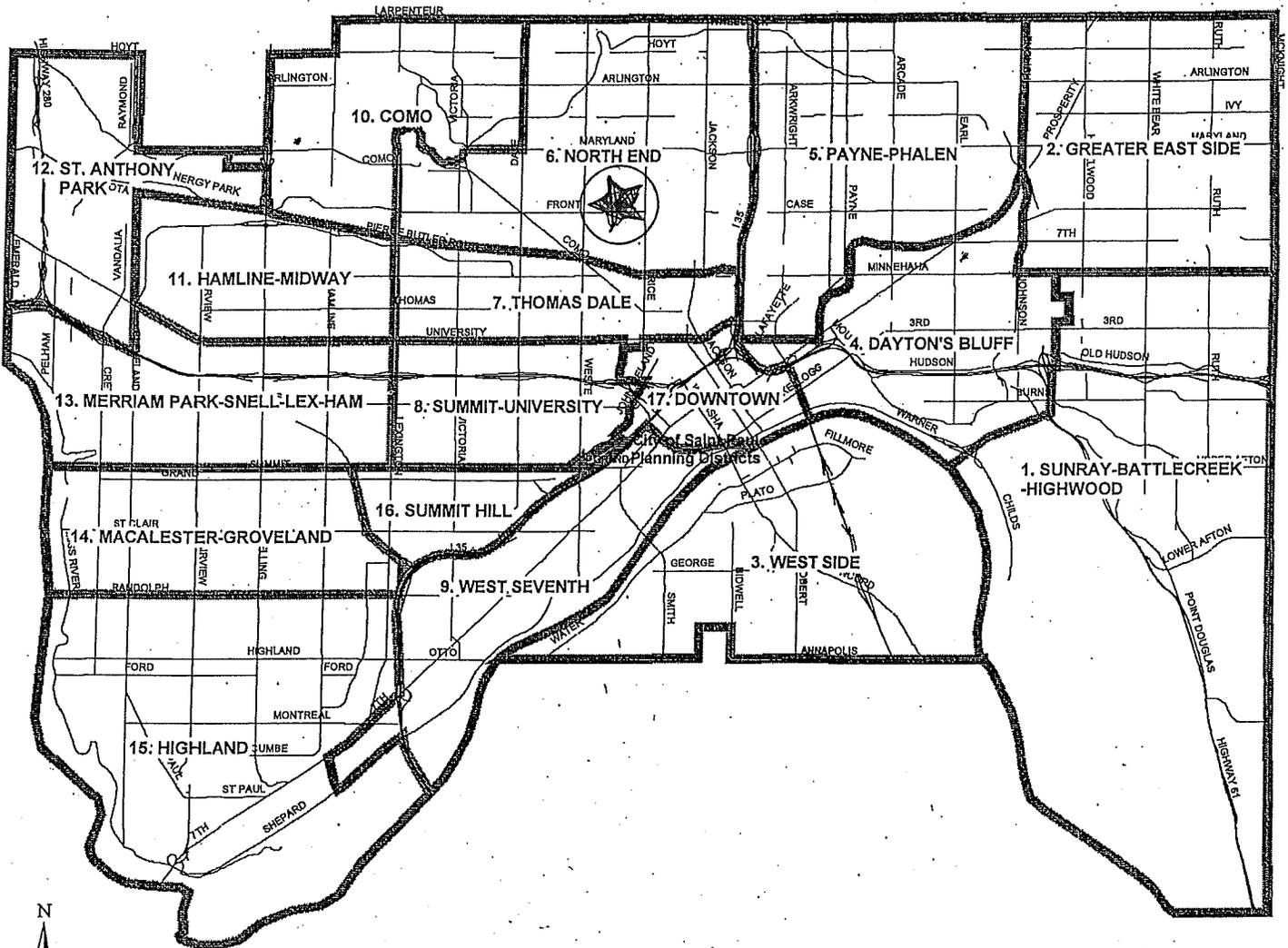
APPLICANT Greg Brendemuehl  
 PURPOSE RE-EST NCLUP  
 FILE # 09-424870 DATE 12-9-09  
 PLNG. DIST. 6 MAP # 12

- LEGEND**
- zoning district boundary
  - subject property
  - one family
  - two family
  - multiple family
  - commercial
  - industrial
  - vacant
  - north

SCALE 1" = 400'



# CITIZEN PARTICIPATION DISTRICTS



## CITIZEN PARTICIPATION PLANNING DISTRICTS

1. SUNRAY-BATTLECREEK-HIGHWOOD
2. GREATER EAST SIDE
3. WEST SIDE
4. DAYTON'S BLUFF
5. PAYNE-PHALEN
6. NORTH END
7. THOMAS-DALE
8. SUMMIT-UNIVERSITY
9. WEST SEVENTH
10. COMO
11. HAMLINE-MIDWAY
12. ST. ANTHONY
13. MERRIAM PK.-LEXINGTON HAMLINE
14. GROVELAND-MACALESTER
15. HIGHLAND
16. SUMMIT HILL
17. DOWNTOWN

#09-424870